LEGISIATIVE HISTORY

Public Law 28--81st Congress

Chapter 38--1st Session

H. R. 128

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DIGEST OF PUBLIC LAW 28

Cotton Acreage Allotments. H. R. 128 provides that State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949.

INDEX AND SUMMARY OF HISTORY ON H. R. 128

January 3, 1949	H. R. 128 was introduced by Rep. Abernethy and was referred to the House Committee on Agriculture. Print of the bill as introduced.
January 7, 1949	Hearings: House, unnumbered. Cotton Acreage Allotment and Marketing Quota Programs.
January 31, 1949	House Committee reported H. R. 128 with amendments. House Report 11. Print of the bill as reported.
	House Rules Committee reported H. Res. 74 for the consideration of H. R. 128.
February 2, 1949	H. Res. 74 agreed to.
	House debated and passed H. R. 128 as reported.
February 3, 1949	Print of H. R. 128 as referred to the Senate Committee on Agriculture and Forestry.
	Extension of remarks of Rep. John E. Lyle.
February 7, 1949	Senate Committee reported H. R. 128 with amendment. Senate Report 38. Print of the bill as reported.
February 8, 1949	Senate discussed and passed H. R. 128 as reported.
February 9, 1949	House Conferees appointed.
February 10, 1949	Senate Conferees appointed.
March 11, 1949	Senate received the Conference Report. House Report 269.
March 17, 1949	Senate agreed to the Conference Report.
March 21, 1949	House agreed to the Conference Report.
March 29, 1949	Approved. Public Law 28.

81ST CONGRESS
1ST SESSION

H. R. 128

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1949

Mr. ABERNETHY introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of title III of the Agriculture Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments for cotton for any year after 1949 shall be computed without regard to acreage planted to cotton in 1949.

81ST CONGRESS
1ST SESSION

H. R. 128

A BILL

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

By Mr. ABERNETHY

JANUARY 3, 1949

Referred to the Committee on Agriculture

81st Congress } HOUSE OF REPRESENTATIVES { Report
1st Session } { No. 11

COTTON PLANTED IN 1949 TO BE EXCLUDED IN COMPUTING COTTON ACREAGE ALLOTMENTS

JANUARY 31, 1949.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PACE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 128]

The Committee on Agriculture, to whom was referred the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton-acreage allotments for any subsequent year, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out everything after the enacting clause and substitute the following:

That notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949: *Provided*, That any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, Seventy-ninth Congress, because of the production of war crops or of serving in the armed forces of the United States) shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment.

STATEMENT

The Secretary of Agriculture has announced that there will be no acreage or marketing quota restrictions applicable to the 1949 cotton crop. The large cotton crop in 1948 makes it probable that acreage and marketing quota restrictions will be required for the 1950 crop. This is likely to result in greatly increased acreages of cotton in 1949. A 1949 crop substantially larger than the 1948 crop would mean a relatively heavy surplus of cotton at the beginning of the 1950 crop year. This bill has as its purpose the prevention of such surplus by removing, in part, the incentive which farmers would otherwise have to plant large acreages of cotton in 1949.

The Agricultural Adjustment Act of 1938, as amended, provides that, in order to be eligible for an old-farm allotment, cotton must have been produced on the farm in at least 1 year in the last 3.

In addition, the acreage of cotton planted on the farm determines, in part, the size of the farm-acreage allotment. This bill would eliminate 1949 cotton acreages and yields in the establishment of State, county, and farm-acreage allotments under the provisions of the Agricultural Adjustment Act of 1938, as amended. Provision is made, however, for those established cotton farmers who, in reliance on existing law, had not planted cotton in 1947 or 1948 but who would have to plant cotton in 1949 to preserve their status as old growers and to maintain their farm production history. The committee feels that these farmers should not be required to plant cotton this year in order to be protected and, accordingly, has provided that any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, 79th Cong.) shall be regarded as having a 1948 planted acreage equal to the 1942 farm-acreage allotment. Thus, this group of farmers would not need to plant any cotton in 1949 in order to protect their status as established producers and any acreage which they did plant in 1949 would not affect the size of their farm-acreage allotment in future years.

Any farm on which cotton was planted in 1947 or 1948 is already protected under the Agricultural Adjustment Act of 1938, as amended. Any farm for which a cotton acreage allotment was established for the 1942 crop and on which the total acreage of war crops grown in 1947 was in excess of the total acreage of war crops grown on such farm in 1941, or any cotton farm on which cotton was not planted in 1947 because the owner or operator was serving in the armed forces is protected under Public Law 12, Seventy-ninth Congress. The intent and purpose of this law is clearly shown by the following letter from the War Food Administrator:

FEBRUARY 13, 1945.

Hon. ELMER THOMAS,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR THOMAS: This is in further reply to your request for a report on S. 338, a bill to amend the Agricultural Adjustment Act of 1938, as amended, and sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, to encourage the growing of war crops by protecting the allotments of producers of cotton and wheat.

Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the acreage available for establishment of allotments of cotton or wheat on farms on which the crop was not planted in at least 1 of the 3 years immediately preceding the year for which the allotment is established is limited to a small percentage of the total acreage allotment for the county or State. While the provisions of the Soil Conservation and Domestic Allotment Act are less specific on this point, it has been found administratively desirable to use identical procedures for establishing allotments under the two acts.

In the past 2 years many producers of these commodities have planted other crops more critical to the war effort instead of cotton or wheat. Such producers are now faced with the alternatives of planting cotton or wheat in 1945 or, in the event acreage allotments are established in 1946, being classified as "new growers" for allotment purposes. S. 338 would remedy this situation by authorizing the Secretary of Agriculture to provide that, on any farm for which a cotton or wheat allotment was established for the 1942 crop year, acreage used for the production of a war crop in 1945 or a subsequent year during the present emergency may be considered as having been planted to cotton or wheat, as the case may be.

It is believed that the effect of such a provision would be to encourage the production of war crops on farms on which, in order to protect cotton or wheat acreage allotments, cotton or wheat otherwise would be planted in 1945. Moreover, producers who might, because of the great need for certain crops, forego the planting of cotton or wheat should not be placed in the position of sacrificing possible benefits under future programs.

For the reasons stated above, it is recommended, S. 338, or similar legislation which will accomplish the same general purpose, be enacted.

Although S. 338 has been passed by the Senate, this report is being submitted for the files of your committee.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

MARVIN JONES, *Administrator.*

It will be observed that in both this letter from the War Food Administrator and in Public Law 12 any farm for which a cotton allotment was established for the 1942 crop year, and on which acreage was used for the production of a war crop in 1945 or a subsequent year during the emergency, is to be considered as having planted cotton; that is, the previous cotton acreage diverted to war crops will be looked upon, treated, and considered as if it was actually planted in cotton. This requires that such diverted acreage must be taken into account and included in calculating or estimating the total acreage planted in cotton in each county and State and in making State, county, and farm acreage allotments in future years. Following the enactment of Public Law 12 the Assistant War Food Administrator did, on March 8, 1945, promulgate regulations thereunder as follows:

WAR CROP DETERMINATION FOR THE PROTECTION OF COTTON ALLOTMENTS.—That in establishing cotton acreage allotments under title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, for any farm for which a cotton acreage allotment was established for the 1942 crop, if the total acreage of war crops grown on the farm during 1945 or any subsequent year during the present emergency is in excess of the total acreage of war crops grown on the farm in 1941, the cotton production history for the farm for any such year will not be considered as representative of the normal history of the farm and the farm will be considered as one on which cotton was planted in such year. For the purpose of this determination, the following are designated as war crops: Soybeans for beans, peanuts picked and threshed, flax for seed, Irish potatoes, sweetpotatoes, dry edible beans, grain sorghums, sugar beets, sugarcane, rice, tomatoes for processing, peas for processing, snap beans for processing, sweet corn for processing, oats, barley, sweet sorghums, Sudan grass, biennial and perennial legumes, and mixtures containing biennial and perennial legumes.

The cotton production history which would be preserved under the provisions of this bill would be used in determining the amount of the county and State acreage allotments, as well as in determining the amount of the farm acreage allotments.

Under this bill, the year 1949 would be eliminated in the calculation of allotments; therefore, the 5- and 3-year periods now required to be used in the establishment of State, county, and farm allotments would, where 1949 is within any such period, be selected by substituting for 1949 the year next preceding the period which would otherwise be used; for example, if acreage allotments are put into effect in 1950 and a 5-year period is used as a basis for making allotments, then instead of the years 1945 to 1949, inclusive, being used, the years 1944 to 1948, inclusive, would be used.

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Union Calendar No. 6

81ST CONGRESS
1ST SESSION

H. R. 128

[Report No. 11]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1949

Mr. ABERNETHY introduced the following bill; which was referred to the Committee on Agriculture

JANUARY 31, 1949

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That notwithstanding the provisions of title III of the Agriculture Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments for cotton for any year after 1949 shall be computed without regard to acreage planted to cotton in 1949.~~

That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and

yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949: Provided, That any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, Seventy-ninth Congress because of the production of war crops or of serving in the armed forces of the United States) shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment.

Union Calendar No. 6

81ST CONGRESS
1ST SESSION

H. R. 128

[Report No. 11]

A BILL

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

By Mr. ABERNETHY

JANUARY 3, 1949
Referred to the Committee on Agriculture

JANUARY 31, 1949
Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

House Calendar No. 5

81ST CONGRESS
1ST SESSION

H. RES. 74

[Report No. 13]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1949

Mr. COLMER, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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RESOLUTION

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year. That after general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for

amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

House Calendar No. 5

81st CONGRESS
1st SESSION

H. RES. 74

[Report No. 13]

RESOLUTION

Providing for the consideration of the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

By Mr. COLMER

JANUARY 31, 1949

Referred to the House Calendar and ordered to be printed

81ST CONGRESS
1ST SESSION

H. RES. 74

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1949

Mr. COLMER, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

FEBRUARY 2, 1949

Considered and agreed to

RESOLUTION

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year. That after general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute

rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

81ST CONGRESS
1ST SESSION

H. RES. 74

RESOLUTION

Providing for the consideration of the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

By Mr. COLMER

JANUARY 31, 1949
Referred to the House Calendar and ordered to be printed
FEBRUARY 2, 1949
Considered and agreed to

can people what you are going to do to stop the rise of prices. Now those prices are coming down just as we told you they would at that time when this legislation was under consideration. You now find that the things you then advocated are no longer necessary. You now find that the things you talked about in the campaign have not come to pass. The chickens are coming home to roost. Thank God they are resting on your doorstep today.

Mr. O'SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Nebraska.

Mr. O'SULLIVAN. The thought just suggested itself to me—I am a freshman Congressman—that perhaps because we do have a Democratic majority in both Houses that big, bad business has decided to be good and has begun to cut the prices down and that we have a sufficient club over their heads; that if they do not be good we can enact probably the very necessary legislation which will make bad business good.

Mr. KEEFE. Well, the club that you are raising over their heads is the old man Milquetoast that was so beautifully described by the gentleman from Oklahoma [Mr. MONRONEY]. That is not very much of a club to hold over anybody's head, and you are not kidding anybody, and you are not ultimately going to kid the American people, and that sort of an argument will not have very much of an appeal, in my humble judgment, even in the minds of business or in the minds of the American people. They will get smart after awhile when they read the record of these proceedings and see that you are now again advocating the very remedy that the Republican Eightieth Congress wrote on the statute books over your violent protests.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, I have no desire to get into a political discussion on this issue.

I am for the resolution. I think it should be passed. I do not think that it has accomplished in every way all that was hoped for when the bill was passed. Certainly it has not accomplished all that its most ardent sponsors had hoped for. I rise at this time simply to say to the Committee on Banking and Currency that I hope in the 7 months ahead during which this act will be in operation, that this committee will give particular attention to the effect of this plan with reference to the small-business operator who desires and needs steel for his operations. I have had a great many complaints from small operators. I have not had the opportunity to investigate whether all these complaints are justified. I know in one case in my own State in which a manufacturer of milk cans, a very important item to the agricultural economy of that area, has been unable to get steel for the manufacture of his product. I know of several other instances that have come to my attention, and I have investigated sufficiently to be convinced, in a way, that this program, perhaps, has been too much dominated by the large operators.

I am aware of the fact that perhaps any voluntary plan eventually will run into that sort of difficulty but I do hope the committee will give some attention, as a follow-up to the passage of this bill today, to the effect that it may have on the small operator who has been unable in many instances to get a proper allocation of steel.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Indiana.

Mr. HALLECK. I wonder if the gentleman could tell us just how soon the Committee on Banking and Currency is going to bring out a new OPA bill.

Mr. PRIEST. I will have to refer my distinguished friend to the members of the committee.

Mr. HALLECK. There were a lot of promises along that line made during the campaign, and recent messages have indicated quite a bit of favorable opinion, apparently, on the gentleman's side of the aisle for a revival of OPA. I know a lot of small-business men who would look upon that as the last straw. I hope the committee takes that into consideration, too.

Mr. PRIEST. I am sure this great committee will take that into consideration and will dispose of it in a way that will be in the public interest. I feel that we can place full confidence in the committee in that respect.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Montana.

Mr. MANSFIELD. Did it not take the other side a very long time last year to get out even this "milquetoast" proposition?

Mr. PRIEST. I recall it was very near Christmas.

Another situation developed very recently in my own State in connection with an agreement entered into under the terms of this act for steel allocation that not only affects a vital industry in that State, but also affects the national security, because it is related to some developments at Oak Ridge, Tenn. Up to this time the allocation under the voluntary-agreement plan has not been carried out in this case. I do not care to go into details on the matter, because it is purely a local matter, but I simply take this time to urge the committee to look into this situation as we go into the months ahead to see if it might be possible for a little more attention to be given to the needs of small operators who need steel, and who are not worried at all about what we might do with the surplus, as was suggested by the distinguished gentleman from Wisconsin.

They are worried about getting some plan that would give them steel to keep their plants operating today so that they can carry on their legitimate business, meet their pay rolls, and prosper to some degree.

Mr. HALLECK. If the gentleman will yield further, I wonder if the gentleman could enlighten us as to the present thinking of the committee, as to whether or not we need ceilings on prices more than we need floors under prices.

Mr. PRIEST. The gentleman knows, of course, that I am not a member of this great committee, and I would not presume to attempt to enlighten anybody about the thinking of this committee. I am sure members of that committee are doing some thinking.

Mr. Chairman, all of us, I am sure, desire voluntary allocations in preference to compulsory controls, so long as the public interest is protected and no segment of our economy is unduly burdened. I do not question the good faith generally of the industry in carrying out the voluntary allocations program. But I repeat that the Congress must be diligent and vigilant in guarding against domination of such a program by the larger operators at the expense of small business.

(Mr. PRIEST asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That subsection (b) of section 2 of Public Law 395, Eightieth Congress (61 Stat. 945), is hereby amended by striking out "March 1, 1949" and inserting in lieu thereof "September 30, 1949."

Subsection (f) of said section 2 is hereby amended to read as follows:

"(f) This section shall expire on September 30, 1949, and any requests made and voluntary plans adopted under this section shall have no force or effect thereafter."

The CHAIRMAN. Are there any amendments?

There being no amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1660) to continue through September 30, 1949, certain authority conferred on the President by section 2 of Public Law 395, Eightieth Congress, regarding voluntary agreements and plans, pursuant to House Resolution 73, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 547) to continue through September 30, 1949, certain authority conferred on the President by section 2, of Public Law 395, Eightieth Congress, regarding voluntary agreements and plans, and that the Senate bill be substituted for the House bill just passed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I assume the Senate bill is identical to the House bill?

Mr. SPENCE. It is identical.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (b) of section 2 of Public Law 395, Eightieth Congress (61 Stat. 945), is hereby amended by striking out "March 1, 1949" and inserting in lieu thereof "September 30, 1949."

Subsection (f) of said section 2 is hereby amended to read as follows:

"(f) This section shall expire on September 30, 1949, and any requests made and voluntary plans adopted under this section shall have no force or effect thereafter."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings by which the bill, H. R. 1660, was passed were vacated and that bill was laid on the table.

COTTON ACREAGE ALLOTMENTS

Mr. COLMER. Mr. Speaker, I call up House Resolution 74 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, House Resolution 74 makes in order the consideration of the bill H. R. 128 which was reported out of the Committee on Agriculture. In brief, it would make it possible in the allocation of cotton acreage in 1950, if the Secretary of Agriculture saw fit, to exercise his authority to require cotton quotas so that whatever cotton was planted in 1949 would not be considered in the historical background upon which quotas are based.

In other words, the purpose of this bill is simply to say that if it becomes necessary to impose quotas in the future, as the Secretary of Agriculture has the power to do, that the cotton planted and produced in 1949 will not be considered in that allocation. The question of the merits of the allocation program is not involved. The purpose of this bill is to discourage, as I understand it, the production of cotton in 1949. I am informed by those who have the statistics at hand that there will be an approximate carry-over of 6,000,000 bales of cotton this year. Those who make a study of this problem and whose responsibility it is are apprehensive that if this bill is not enacted into law there will be a great rush on the part of the cotton farmers throughout this country to plant cotton this year in order to secure their proper quota when and if quotas are invoked by the Secretary of Agriculture.

So it merely has as its purpose a deterrent to increased production of cotton in 1949.

Mr. McSWEENEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Ohio.

Mr. McSWEENEY. When is cotton planted? I am sorry to say I do not know.

Mr. COLMER. Cotton planting, of course, varies in the various sections of the country. Ordinarily, in a few weeks in the South the farmers will begin to prepare to plant their cotton.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the great authority on cotton, the gentleman from Georgia [Mr. PACE].

Mr. PACE. From the lower Rio Grande, reports are that they are planting now.

Mr. COLMER. Of course, the gentleman is very familiar with the facts. Cotton is produced on the west coast also, in California, and down in the Rio Grande, as was pointed out by the gentleman, and they are now beginning to plant there.

Mr. McSWEENEY. Would this be a deterrent to increased planting if it is passed immediately?

Mr. COLMER. That is the purpose of the legislation, as I understand it. In other words, it is to prevent increased production of cotton and an additional carry-over, with the possible resultant necessity for the Government, under the support-price program, to purchase this additional cotton.

Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Indiana.

Mr. HALLECK. May I say, Mr. Speaker, that the gentleman from New York [Mr. WADSWORTH] is necessarily detained and has asked me to handle the time on this side in his absence, there being no other member of the Rules Committee present at the moment. I may say there are no requests for time on this side, and if the gentleman is prepared to move the previous question, we can proceed with the consideration of the bill.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LYLE], member of the Rules Committee.

[Mr. LYLE addressed the House. His remarks will appear hereafter in the Appendix.]

(Mr. LYLE asked and was given permission to revise and extend his remarks.)

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. PACE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 128 to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 128, with Mr. MONRONEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. PACE. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. ABERNETHY]

[Mr. ABERNETHY addressed the Committee. His remarks will appear hereafter in the Appendix.]

(Mr. ABERNETHY asked and was given permission to revise and extend his remarks.)

Mr. HOPE. Mr. Chairman, this bill was reported unanimously by the Committee on Agriculture. I think it is a bill which serves a useful purpose at this time. It is thought, and I think with good reason, that because of the possibility of cotton quotas and acreage allotments within another year or two, a great many farmers might be tempted to expand their acreage this year beyond what they otherwise would contemplate planting. It is a very natural thing to do. The purpose, of course, would be to insure that they have a base for future allotments and quotas which would be in line with that secured by their neighbors. The committee felt that in view of these considerations and the fact that it is not desirable to increase cotton acreage this year, that the bill should be passed. I do not see a need for any prolonged discussion of it, because it is a rather simple bill, easily explained, and easily understood. I shall, therefore, not take any further time.

Mr. PACE. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, I trust that this bill will be enacted into law. In the year 1948, cotton planting amounted to 23,000,000 acres of land. The testimony before our committee has been to the effect that there would be some 12 to 15 percent or more increase in planted acreage to cotton in the crop year 1949. That being the case, there would be an estimated 15,100,000 bales of cotton produced in 1949.

If this bill is enacted into law, it is believed by many that a large number of farmers who anticipate planting in 1949 would not do so because they would feel that it would not in any way give them a high base for their 1950 crop

year and for the years ahead. To say the least, cotton farmers throughout the belt would probably reduce their cotton acreage in 1949 if this legislation is enacted.

In 1937 the cotton farmer was cut loose, free to plant as much as he saw fit to plant in acreage to cotton. As a result of that, there were produced in America in that year 19,000,000 bales of cotton. It took the cotton farmer almost 10 years and a world war to get rid of the surplus that accumulated as a result of such excessive planting.

This is a great psychological move, but speed is essential because of the fact that, as has been stated here in debate on the rule, they have already started planting cotton this year in the Rio Grande Valley. I hope and trust the bill will pass without a single vote against it.

Mr. TACKETT. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Arkansas.

Mr. TACKETT. Should it become necessary to place a quota on cotton in 1950, what years would be used upon which to base the quota?

Mr. GATHINGS. That matter is now under most serious consideration. The Subcommittee on Cotton of the Committee on Agriculture is holding hearings at this time. It will be another few days before those hearings will be concluded. Then the committee will go into executive session and consider the years that will be placed in the base period for the 1950 crop year and the years ahead of 1950.

Mr. TACKETT. Is there a law in existence at this time which would govern such controls, should it become necessary to have controls? That is, would the 3 years prior to 1950, excluding 1949, be considered under the present law?

Mr. GATHINGS. It is going to be necessary to revamp that law, because under the law now on the statute books, the 1938 Triple A Act and the amendments thereto, the farmers could not plant less than 27,000,000 acres to cotton. If that were to happen, of course, the surplus would just be insurmountable. We would not know now just exactly how to answer the gentleman's question until the committee has concluded the hearings and has gone into executive session to determine the years that should be used.

Mr. TACKETT. Is it possible that the larger cotton farmers within the States of Arkansas, Texas, Louisiana, and the other States that raise a considerable amount of cotton, could have foreseen the possibility of the enactment of this bill so as to give them a break under the controls by virtue of knowing that 1948 cotton-crop acreage would be used as a basis?

Mr. GATHINGS. I do not believe the gentleman should be disturbed. Nineteen hundred and forty-eight is a very good year to consider, because then it was wide open. The farmer could do what he wanted to do. He could plant or he could not plant. The man who is already established in the cotton business, who has his implements, his labor for cotton-production purposes, his seed, and is ready to go, of course, should be continued in the business of planting cotton.

Mr. PACE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I merely wanted to state that the pending proposal to exclude the 1949 cotton acreage from future calculations comes to the House with the recommendation of the Secretary of Agriculture, the recommendation of the American Farm Bureau Federation, the National Grange, and the National Farmers' Union. It was unanimously reported out by the Committee on Agriculture.

Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Chairman, H. R. 128, as now presented to the House, has asked that the 1949 cotton crop not be used in computing cotton acreage allotments for any subsequent year. It is realized that one of the reasons for the initiation of this bill is that the growers will not feel obliged to plant all their land in cotton this year in order to assure themselves of a good cotton allotment on their land in future years, as the allotment would be based perhaps on several years' average. I think the purpose of the bill is a most commendable one, but I believe that the manner in which it tries to achieve its objective can result in serious inequities unless, in the final agricultural bill which is presented to Congress, allowances are made to provide fair allotments to these men who have not planted cotton before. If this bill becomes the law without this session of Congress and the final agricultural bill making allowances for these new cotton farmers, then these men who have recently cleared and put into use for production lands of Texas would be seriously penalized in future years. It is difficult to evaluate the full significance of this bill at this time without knowing on what basis future quotas will be based. I have been told by members of the Agriculture Committee that efforts will be made to see that these new cotton farms receive equitable allotments, and if such is done, then the present bill would be beneficial in discouraging a large crop this year. We already have almost a 6,000,000,000-bale surplus carry-over from last year.

At the encouragement and recommendation of the United States Government many returning war veterans of south Texas have taken lands of very low economic value and at a high cost have cleared the brush and put them into cultivation to grow cotton and feed crops. On return from the service, it took some time for these young men to become adjusted, to establish themselves, and then, after they had purchased this land, it was a long and arduous process clearing off mesquite and ebony trees to put it into shape where it was suitable for cotton growing. Many of them have just accomplished this in the past year, and 1949 will be the first cotton crop they have planted on this land. Their improvement of this land has taken property that was on the tax rolls at values of $2 and $3 and increased their valuations tremendously, resulting in immense benefit to the counties and the State of Texas. Many of these young men have incurred heavy debts and mortgages so they were able to purchase this land. Much of this land has been cleared by their own labor in order that they might provide themselves with an agricultural livelihood and help produce materials and food for a hungry world. Thousands of tenants and small farmers have also made this move, now to see this dry land with its limited uses further restricted by law which would seriously curtail any cotton quota that they might obtain, say in the year 1950.

Probably an attempt will be made to, in part, take care of these new farms by setting aside for example a 2 percent of the Nation's quota for such new lands, and this 2 percent to be allocated by the county bureaus, but because of the large number of acres that have been cleared in south Texas, west Texas, and many of the Western States, I believe that this 2 percent will be inadequate.

It is my hope that this percentage will be increased to 3 or 4 percent, which would take relatively little away from the quotas of the old cotton growers but would greatly increase the quotas for new cotton farmers. If the Agriculture Committee is determined to keep this at a figure of 2 percent, then I think that this percentage, and its allocation should be administered from Washington, and that those States in the Southeast who do not use their full part of the 2 percent, having insufficient new lands, that the balance of their 2 percent will be applied to States such as Texas and other Western States where they will probably have more than 2 percent set aside for new lands. Unless this is done, new farms could easily obtain quotas far below the county average.

As further assistance in making a fair distribution of the cotton quota, I believe a 10 percent of the State quota should be set aside in each State to be administered by a State agency as a bank to be given to those counties which have increased their production and taking it from those counties which have decreased their production, thereby giving consideration to trends in cotton planting. Many counties of central and east Texas have decreased their cotton planting and would perhaps receive higher quotas than the land that they were actually planting to cotton and this quota could be distributed to counties such as we have in the fifteenth district who have materially increased their planting to cotton.

I believe consideration should be given to States which find that they can more efficiently and economically produce cotton and who have been increasing their acreage. Otherwise, you will find that anything similar to our old system of quotas will perpetuate inefficient and uneconomical growth of cotton in some States in the Union at the expense of those areas which can produce it at less cost and more efficiently. The objective of the Government should be to encourage these people who cannot efficiently and economically produce cotton to gradually turn to other crops to which they are more adapted.

It is not my purpose to see these people economically dislocated and their quotas drastically slashed, but I definitely believe that the eventual net decrease in cotton quotas, as set by the Government to maintain an economical price support, should be the same for all areas, regardless of whether they are old or new cotton-producing areas.

If 1949 is not allowed in future cotton quotas and the cotton-quota law, as yet to be drafted, does not provide a means of giving them quotas substantially up to the county average, it will bankrupt a number of men, including many World War II veterans who are planting new lands to cotton this year for the first time, since they would have their cotton allotment appreciably decreased in 1950. Much of this new land cannot be profitably farmed unless a large percentage of it is planted to cotton. Passage of the bill in its present form could result in favoritism for the benefit of cotton-growing States at the expense of those veterans who were fighting overseas and have only recently returned to enter farming.

I make this statement as a word of caution and a request that if the bill is adopted in its present form that then, certainly, some means should be set up along the lines I have suggested to protect those States and veterans who have materially increased their cotton acreage.

(Mr. GATHINGS asked and was given permission to revise and extend his remarks.)

Mr. PACE. Mr. Chairman, there are no further requests for time.

I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That notwithstanding the provisions of title III of the Agriculture Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments for cotton for any year after 1949 shall be computed without regard to acreage planted to cotton in 1949.

With the following committee amendment:

That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949: *Provided,* That any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, 79th Cong., because of the production of war crops or of serving in the armed forces of the United States) shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MONRONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton-acreage allotments for any subsequent year, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SMALL BUSINESS COMMITTEE

Mr. SABATH. Mr. Speaker, I call up House Resolution 22 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there is hereby created a select committee to be composed of 10 Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to conduct a study and investigation of the problems of small business, existing, arising, or that may arise, with particular reference to (1) whether the potentialities of small business are being adequately developed and, if not, what factors have hindered and are hindering the normal operation of established small business and/or its development and enterprise; (2) whether agencies, departments of the Government or Government owned or controlled corporations are properly, adequately, or equitably serving the needs of small business; (3) whether small business is being treated fairly and the public welfare properly and justly served through the allotments of valuable materials in which there are shortages, in the granting of priorities or preferences in the use, sales, or purchase of said materials; and (4) the need for a sound program for the solution of the postwar problems of small business.

The committee may from time to time submit to the House such preliminary reports as it deems advisable; and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to borrow from Government departments and agencies such special assistants, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any properly designated chairman of a subcommittee thereof, or any member designated by him, and may be served by any person designated by such chairman or member.

With the following committee amendment:

Page 1, line 2, strike out "10" and insert "more."

Page 3, line 6, insert the words "The chairman of the committee or any member thereof may administer oaths to witnesses."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. SABATH. Mr. Speaker, I shall yield 30 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. Speaker, this resolution reestablishes a select committee that has rendered valuable services in the past to the country and to the House. In view of the service rendered and the need for legislation to protect, safeguard, and aid small business, the Speaker and the minority leader entered into an agreement which is in conformity with the amended resolution and provides for a select committee of nine members.

The Small Business Committee has been in existence since 1941 or 1942. During these years they have penetrated many, many matters which tend to protect small business from being completely eliminated and absorbed by the various large industrial organizations. I was pleased with the work which that committee rendered 4 or 5 years ago, which, due to its splendid investigation, resulted in action by the Department of Justice against one of those large chain stores, the Atlantic & Pacific Tea Co., which was found guilty of violating the law to the disadvantage of the small-business men by receiving rebates and discounts that were not forthcoming to the small-business men and which inured to the benefit of them. What applies to that concern applies to many of the other chain stores and the mail-order houses. Between those two groups the small-business man is gradually being forced out of existence.

This committee has been endeavoring to the best of its ability to bring about the elimination of the special favors that are granted to and are taken advantage of by these large corporations and industrialists, of course mainly controlled from Wall Street, to the disadvantage of local people and the small-business men. I am therefore in favor of this resolution to create this committee. I am in favor of having it continue the splendid work it started years ago. It should not hesitate for one moment to investigate the biggest and most powerful violators of decency and justice; and I hope it will do so. As you have observed and are aware, this committee threw the light of publicity on the gray market in steel. I do not know why they call it gray because it has been and is the blackest of all black markets that I know of. The steel trust for nearly 2 years, notwithstanding the efforts of the committee and Congress to insure fair distribution of raw materials, allocated steel only to their favored few, to the disadvantage of the small manufacturer, thereby forcing many of them out of business. Not only that, but where a small manufacturer had contracts to fulfill and was obliged to obtain steel, he was held up by the black marketeers controlled by the steel trust to such extent that he was obliged to pay from $250 to $275 a ton for steel that originally sold for only $60 or $75 a ton. I have heard of cases where they were obliged to pay $300 a ton. Outrageous. And what applies to the steel trust and steel companies has been practiced by many other manufacturers. I hope that such practices will be prevented in the future and that this committee, though it has no legislative power, will shortly recom-

81ST CONGRESS
1ST SESSION

H. R. 128

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 1949

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949: *Provided,* That any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, Seventy-ninth Congress because of the production of war crops or of serving in the armed forces

of the United States) shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment.

Passed the House of Representatives February 2, 1949.

Attest: RALPH R. ROBERTS,

Clerk.

81st CONGRESS
1st SESSION

H. R. 128

AN ACT

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

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heaven. Art has not yet been absorbed into the democratic way of life.

The attitude is medieval. But it is also embarrassing in our participation in UNESCO, which is an international organization set up on the assumption that every nation has official cultural representatives competent to take part in international projects. One of UNESCO's subprojects is the International Theatre Institute, designed to promote the exchange of plays and companies and to apply to the theater the enlightened point of view already accepted in science and trade.

Although our theater is one of the most stimulating in the world, we are the only first-class nation without a Government agency qualified to send an official theater delegation to a meeting of the ITI. Last summer the State Department got around the dilemma by sending Rosamond Gilder and Warren Caro to Prague as observers.

It costs less than $10,000 a year to maintain an American branch of the ITI. But there is no Government agency authorized to accept responsibility for this cog in the international machinery; and ANTA, a goodwill organization so poverty-stricken that it cannot afford to pay the rent on its own headquarters, has saved the Government's face by agreeing to finance the branch of ITI here. In politics, science, and trade we are one of the most powerful nations of the world. In the sphere of cultural relations we rank with Monaco.

PROPOSED CONVENTION

These matters of international prestige are not of first importance. But theater, opera, ballet, and the public arts of performance vitally affect the culture of our people, who certainly ought to have as convenient access to the arts as the Russian people have. Representative JAVITS' bill proposes that, at the expense of the Government, the President call a convention of theater, opera, and ballet people to draw up plans for national institutions of their respective arts.

The theater panel would include representatives from Equity, Dramatists Guild, League of New York Theaters, the craft unions. ANTA, National Theater Conference, American Educational Association, Drama League, and all groups of people working at theater in the United States. Their first job would be to plan a national theater free of bureaucratic control and designed according to democratic principles. The next step would be for Congress to review the plan, accept it if it turns out to be satisfactory, and vote the authority and funds to sustain it. Opera and ballet panels would work in the same fashion.

If Representative JAVITS' bill is passed by Congress, the thousands of people working at theater all over the country will have to make up their minds as to what a practicable national theater is, and this is a very neat problem in itself. For the theater in every part of the country, including the commercial theater of Broadway, needs help; but the commercial, regional, university, community, and independent theaters have very little in common, have different problems and points of view, different kinds of audiences and different standards.

TOURING COMPANIES

No doubt there should be a theater building in Washington, where there is none today—another instance of our cultural backwardness. But a building is the least essential part of a theater, which is an organization of actors and artists working together for the performance of plays. And the basic problem would be how to make such organizations available to the entire country at prices low enough to suit the pocketbooks of the great mass of the people.

Before the war Robert Sherwood had a plan for establishing a national theater by sending about five touring companies around the country to 1-night stands with a balanced annual program of classics, musical plays, current plays, and revivals. That was an excellent and enlightened plan—practical and comprehensive, but it became one of the first casualties of the war.

As a matter of fact, there is the nucleus of a national theater already in existence—the American National Theater and Academy (ANTA), chartered by Congress in 1935 but never seduced by the appropriation of funds. Considering its poverty and the generalized comprehensiveness of its plans, ANTA has made heartening progress in the last 3 years. It has become a central clearing house for information and services for theaters throughout the country, and it is the only thing approaching a general theater center in New York.

ANTA'S PLANS

What ANTA is doing now with quiet desperation on nickels and dimes ought to be one of the essential services of a publicly endowed national theater. But ANTA's main plan is one of subsidizing regional professional theaters throughout the country, using as a nucleus those already in existence, but helping local groups everywhere to establish others. This is obviously a sensible approach to the problem. But it has the disadvantage of being diffuse and general. It would be prohibitively expensive for a privately supported institution and would require a powerful central organization with authority to maintain artistic standards. For a national theater must represent first-rate professional work.

From the point of view of the country as a whole, ANTA's plan is the best one in existence at the moment. Since ANTA is chartered by Congress, it is legally the American National Theater right now and would be the logical organization to take charge of the machinery of a constitutional convention in consultation with other interested groups. Reorganized with a much broader base among working theater people, it could serve ultimately as the working headquarters of a national theater. By force of circumstances it does not have that much practical authority now. But Representative JAVITS' bill leaves the question wide open. What is a national theater?

The Taft-Hartley Act

EXTENSION OF REMARKS
OF
HON. EDGAR A. JONAS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 3, 1949

Mr. JONAS. Mr. Speaker, under leave to extend my remarks, I include House Resolution 17 of the Sixty-sixth General Assembly of the State of Illinois, adopted January 25, 1949, a photostat copy of which was submitted to me by Hon. Edward J. Barrett, secretary of state for the State of Illinois:

House Resolution 17

Whereas no segment of the American people has made a greater contribution, in peace and in war, to the welfare of our Nation than have the working men and women of America; and

Whereas this magnificent contribution was made possible through the long struggle of organized labor to secure for the workingman recognition of certain fundamental rights; and

Whereas Public Law 101 of the Eightieth Congress, otherwise known as the Taft-Hartley Act, attempts to abridge labor's fundamental rights and to set the cause of the workingman back a generation; and

Whereas the Taft-Hartley Act not only adversely affects organized labor but jeopardizes the peace and prosperity of the entire country, because whatever hurts labor hurts the Nation: Therefore be it

Resolved by the House of Representatives of the Sixty-sixth General Assembly of the State of Illinois, That the Congress of the United States now assembled be urged to take immediate steps to repeal the Taft-Hartley Act and to restore to the working men and women of America the rights to which they are entitled and the respect they so richly deserve; and be it further

Resolved, That copies of this resolution be sent by the secretary of state to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States, and to each of the Members of the Congress of the United States from the State of Illinois.

Adopted by the house, January 25, 1949.

PAUL POWELL,
Speaker of the House of Representatives.

CHAS. F. KERVIN,
Clerk of the House of Representatives.

EDWARD J. BARRETT,
Secretary of State.

Federal Power Policy Study

EXTENSION OF REMARKS
OF
HON. GEORGE A. DONDERO
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 3, 1949

Mr. DONDERO. Mr. Speaker, on the closing day of the Eightieth Congress, there was transmitted to me, as chairman of the Committee on Public Works, from the Committee on Appropriations, a study entitled "Federal Power Policy Study." Mr. A. B. Roberts, a consulting engineer, of Cleveland, Ohio, directed the study and Mr. W. H. Sigersen, c. p. a., assisted in the accounting phases of the study. Both of these men are outstanding authorities in their respective fields. The report consists of 130 pages of highly informative data on electric power. Unfortunately the document, as yet, has not been printed so as to make it available to the public generally. It is, of necessity, technical in nature, but may be summarized in brief, as follows:

First. The Federal Government should cooperate with its citizens in the development of hydroelectric power, irrigation, and water-supply projects, and avoid competition with existing adequate facilities.

Second. The area of competition between federally owned power and citizen-owned power companies usually begins at the bus bar of Federal projects. In many multipurpose projects this competition does not include construction and operation of the dams themselves. The Federal construction of transmission lines to power markets frequently duplicates and tends to threaten existing and prospective private investments which do and could further serve the public adequately and as full taxpayers.

Third. Federal construction of transmission lines from dams on streams of erratic flow is particularly wasteful, unnecessary, and destructively competitive. Such projects require large storage reservoirs to equalize or regulate the flow. For many such projects the dam height and storage space is necessarily limited by the terrain, with the result that the full name-plate rating of the generators can be available only a few hours per day with remaining hours reserved for storage of water. This kind of power is of highest value only for absorption into integrated nearby systems during periods of daily peak demand. In such cases Federal investment in transmission lines not only is competitive with private investment but wasteful of Federal funds.

Fourth. In general, Federal power is not cheap but is made to appear so by allocating substantial portions of the investment and annual expenses to features other than power. For example, a reexamination of the allocation of TVA's investment in flood control, navigation, and power is now under way by the Federal Power Commission and the Corps of Engineers, which may substantially increase the capital base upon which TVA's rates are presently fixed. An adjustment of all Federal power rates is indicated.

Fifth. There should be full public disclosure of the subsidies involved at the projects now in operation and those proposed.

Sixth. Present conflicting procedures should be standardized and fully developed for:

(a) The determination of economic feasibility.

(b) Accounting and rate-making.

Seventh. Consideration should be given to the treatment of Federal hydroelectric project in the same manner as for a licensee under the Federal Power Act. The standards of the Federal Power Act, if observed and applied in determining the economic feasibility of projects which include power, would make some radical changes in the investment allocations heretofore adopted.

Eighth. Studies should be made by competent authorities on the economic justification of all projects, whether complete, under construction, authorized or proposed, with a view to determining the effect of present price levels, rising costs and changed economics of the Nation on the ability of such projects to repay funds advanced by the United States Treasury within a 50-year period, with interest. Those completed should be reviewed to ascertain if actual economic results obtained justify the actual investment and to determinre whether any changes in practices need be made.

Ninth. Rates for power should be sufficient to meet all operation and maintenance expense, adequate provision for depreciation, payments in lieu of local, State and Federal taxes, full interest on the Federal investment in power, together with provision for repayment of such investment within a 50-year period on a straight-line basis. Federal investment in power should include interest during construction.

Tenth. The rights of States and their public utility commissions should be recognized at all times.

Eleventh. As a rule, the better hydroelectric sites of the United States have already been developed, and the remaining sites have been preempted by Federal Government planning for later development. As the less attractive hydroelectric sites are constructed, they will tend to show an increase in cost and a diminishment of economic feasibility. The total cost of projects now proposed for power, flood control, navigation and irrigation will exceed $40,000,000,000.

Twelfth. The Southwestern Power Administration serves no useful purpose and should be liquidated.

Thirteenth. At present the Bureau of Reclamation includes in electric rates an annual interest component of 3 percent of the investment allocated to power which is later applied as a reduction of the investment chargeable to irrigation. This practice should be stopped and the interest component returned to the Treasury of the United States.

Fourteenth. Soil conservation methods should be vigorously extended to provide substantial flood prevention and reduce the need of large, costly, and numerous downstream reservoirs to be used for flood control.

The Committee on Appropriations of the Eightieth Congress is to be commended for the thorough manner in which its investigation staff, under the able direction of Mr. Robert E. Lee, Chief of Staff, handled its study of Federal power operations and comparison with the private electric utility industry. This complete report should be made available to the general public as soon as possible.

Friendship Train and Merci Train

EXTENSION OF REMARKS

OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 3, 1949

Mr. JAVITS. Mr. Speaker, one of the finest means for showing the bond of personal friendship between peoples was initiated by Mr. Drew Pearson in the Friendship Train. Our allies in France have now responded with the Merci Train. Its contents are described in the appended editorial from the New York Times. Its contents in terms of human warmth and appreciation will find a response in the heart of every American.

GRATITUDE TRAIN

As one means of breaking down the barriers between the peoples of the many nations, a Friendship Train was organized last year by Drew Pearson and thousands of tons of foodstuffs were sent to Europe, a beau geste from us who have so much to others who had little. Today that bread of friendship cast upon the waters has come back to us from the French people in the form of a 49-car trainload of gifts to the American people.

The gifts that cram the outdated little French two-purpose railway cars—40 men or 8 horses—are as varied as the homes from which they came. One of Lafayette's descendants sent his ancestor's walking stick and a catalog of his books. One man contributed his grandfather's bicycle. President Auriol sent 49 rare Sévres vases, 1 for each of the 48 States and the District of Columbia. There is one of Napoleon's innumerable hats, a Louis XV carriage, a sedan chair. All were objects prized highly by the givers.

There is no taint of commercialism about the venture, any more than there was about the food that filled the original Friendship Train. These are gifts that the heart dictated. They are received as such. Undoubtedly many of them will be given honored places in the various State museums to which they should be assigned after they have been shown in their original setting aboard the Gratitude Train. In the same spirit in which they were given, the American people gratefully receive them.

Cotton Acreage Allotments

SPEECH

OF

HON. JOHN E. LYLE, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1949

Mr. LYLE. Mr. Speaker, I speak at this time with the hope that I may clarify in my own mind, and in the minds of many of my colleagues, the issue or issues involved in passage of H. R. 128. This measure had the unanimous concent of the Committee on Agriculture after hearings and consideration. That alone, of course, is persuasive of favorable consideration.

Its introduction by the gentleman from Mississippi [Mr. ABERNETHY] resulted in much confusion, uneasiness, and uncertainty upon the part of many farmers throughout the Nation. They were not able to anticipate its effect upon them and their plans for the future. I can well understand this confusion and uncertainty. The most casual investigation will convince anyone that few people of the United States, including the trained experts of the Department of Agriculture and the able and qualified members of the Committee on Agriculture, are able to predict and anticipate with any degree of certainty, the effect this legislation will have upon the cotton industry.

In order to cast an intelligent vote upon it, and to be able to explain its effect to the farmers of my district, I have spent these past several days in a sincere effort to analyze it. One thing, and one thing only, can be said with any degree of certainty about this measure; that acreage planted to cotton in 1949 will not be considered in the future for marketing and quota provisions in the event of the invocation of restrictions by the Secretary of Agriculture. Outside of that, no one can say what this legislation means.

I am sure that all of you will agree that the Agricultural Adjustment Act of 1938 and subsequent amendments, and particularly the marketing quota provi-

sions of such act, are difficult for the average one of us to understand.

The passage of H. R. 128 and its subsequent interpretation, based upon the present Agricultural Adjustment Act, will, unquestionably, work hardship upon many famers in south and west Texas, in California and New Mexico and Arizona.

During the past years and presently, thousands of acres of land that have heretofore not been subject to cultivation have been cleared, broken, and put into farm lands. It is my judgment that such farms and farmers by this act will be placed out of competition with farmers and farms which grew cotton prior to and since 1942. However, to add confusion to an already confused situation, I am reliably informed that this measure, H. R. 128, cannot be interpreted in relation to the Agricultural Adjustment Act of 1938 and amendments, for the reason that this basic act will be changed before 1950, and that a new system for acreage allotment and marketing and quota provisions will be enacted.

I cannot question the necessity for a national plan for the influencing of, if not the control of production and marketing of a product such as cotton, which so vitally affects our entire economy. The large surpluses now on hand and those which may reasonably be anticipated as a result of the 1949 harvest, are dangerously large and will inevitably affect the future price of cotton. The costs of producing cotton per acre have increased out of proportion to its basic price and a material drop in the basic price of cotton would be a great shock to the industry and to our economy. There must be, of course, some intelligent manner of keeping a reasonable balance of production and use. None of us would care to go back to the memorable days when the price of cotton put many of us on starvation incomes. I can personally remember the days when cotton sack was difficult to sell for 5 or 6 cents a yard and farmers had difficulty in buying overalls at 98 cents a pair.

Nevertheless, I would caution against hasty consideration of any legislation so vitally affecting so many of our people. Particularly would I be hesitant to enact any legislation which would discourage young farmers and new farmers from entering into the great field of agriculture. The future, not only of our own country, but that of the world, may well depend upon a vital, progressive, and prosperous agricultural economy in America. Millions of acres of new land must be considered in any long-range agricultural program. It would not be wise, in my judgment, to enact legislation which would freeze out new farmers for the protection of the old, and which would make it impossible for young farmers to compete with those who have been in business longer. Nor would it be wise, in my judgment, to penalize progress.

During the past 18 or 20 years, cotton has materially declined in the economy of Texas. This resulted from many factors. From 1930 to 1940 in Texas, harvested acreage of cotton dropped to approximately 50 percent, from approximately 17,000,000 acres to 8,500,000 acres. In 1946 we harvested approximately 6,000,000 acres of cotton. It is interesting to note, however, that the value of the cotton crop harvested on the 6,000,000 acres in 1946 was considerably higher, by $100,000,000, than that crop harvested off of 16,000,000 acres in 1930. The production of cotton in Texas has been discouraged. The cost became high, the labor scarce, and it was thought in the interest of our economy, State and national, to divert our land to other uses. During the war, and subsequently, we have attempted to produce on our farms a great diversity of crops more vital and necessary to the Nation generally than cotton. We do not anticipate a return to the kingship of cotton, for it would not be good business. We do not feel, however, that we should be placed out of competition by legislation.

There were many farms in south Texas, comprising thousands of acres, that produced cotton prior to the war but which have been better utilized for other crops. Many of them have valuable equipment, suitable for cotton farming. The passage of this act will say to them, "You will be relegated to not more than 2 percent of the State acreage allotment in the event restrictions are put into effect by the Secretary of Agriculture in 1950 under provisions of the present Agriculture Adjustment Act." It will say to the farmers who have put in new land, subsequent to the war, and many of them are veterans, "If you have not planted cotton, you cannot compete with those who have."

The committee amendment has some saving grace. The amendment which reads, "Provided, That any farm on which cotton was not planted in 1947 or 1948—or regarded as planted in 1947 under Public Law 12, Seventy-ninth Congress, because of the production of war crops or of serving in the armed forces of the United States—shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment" will make it possible for farms which were alloted cotton acreage in 1942 to be considered old growers if they have grown war crops.

At this point I wish to quote the regulations promulgated in March 1945, by the Department of Agriculture pursuant to Public Law 12:

War crop determination for the protection of cotton allotments: That in establishing cotton-acreage allotments under title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, for any farm for which a cotton-acreage allotment was established for the 1942 crop, if the total acreage of war crops grown on the farm during 1945 or any subsequent year during the present emergency is in excess of the total acreage of war crops grown on the farm in 1941, the cotton production history for the farm for any such year will not be considered as representative of the normal history of the farm and the farm will be considered as one on which cotton was planted in such year. For the purpose of this determination, the following are designated as war crops: Soybeans for beans, peanuts picked and threshed, flax for seed, Irish potatoes, sweetpotatoes, dry edible beans, grain sorghums, sugar beets, sugarcane, rice, tomatoes for processing, peas for processing, snap beans for processing, sweet corn for processing, oats, barley, sweet sorghums, Sudan grass, biennial and perennial legumes, and mixtures containing biennial and perennial legumes.

In connection with this the Department of Agriculture tells me that it will be a man-sized job to determine war crops in relation to cotton and acreage allotment under provisions of the old act, and this amendment we are considering today, for they have little or no history of the war crops. They had not anticipated the problem of considering war crops in cotton acreage allotment under restrictions.

I call these matters to your attention that you may know how difficult it is for you to make an intelligent decision on this present measure. I am sure the Committee on Agriculture had in mind that the immediate passage of H. R. 128, as amended, would discourage the planting of cotton in 1949 and would, therefore, lower the surplus that is accumulating. Notwithstanding the great respect I have for their judgment, I question this conclusion. Acreage will be planted in cotton in 1949, in my judgment, in the relation to the prospects for a profit. The price of cotton will, in large measure, control the amount of acreage planted. Because of the lack of storage for grain last year, many farmers became disgusted with the program of loans and support prices on grain, which were not available without adequate storage, and are turning again to cotton.

Planting is beginning in south Texas. The Department of Agriculture has not announced a support price program for grain. No adequate provisions have been made for storage. We do not know what to anticipate. Many are returning to the basic crop of cotton.

This legislation will not discourage their planting cotton. It will penalize them if they had no farm history as of 1942, or have not subsequently planted cotton.

I have no more intelligent solution to the problem, and consequently I cannot ask you to follow my colleague, the gentleman from Texas [Mr. BENTSEN] and me in voting against the passage of the bill, but I did feel that I should, as intelligibly as I could, call your attention to the difficulty of reaching an intelligent decision upon this important measure.

It is quite possible that a completely new basic law will erase much of the hardship, or, perhaps I should say, much of the apparent restriction that this measure will place upon growing and expanding communities and upon farms and farmers who have diverted their acreage to crops more needed than cotton.

I shall not oppose the rule, but I do find it necessary to vote against the passage of the measure because of the uncertainty of its effect and because of its seeming discrimination against a large part of south Texas.

American Relations With Russia, and Military Preparedness

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Thursday, February 3, 1949

Mr. WILEY. Mr. President, the February 1949 issue of the magazine the Reserve Officer, published by the Reserve Officers Association of the United States, contains an article which I have prepared in connection with National Security Week, being celebrated beginning February 12. The article is entitled "Myths That May Mean Mass Suicide." I ask unanimous consent that the text of this article be published in the Appendix of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MYTHS THAT MAY MEAN MASS SUICIDE

EVERYONE IS SUBJECT TO BECOME A VICTIM OF SOME HOKUM AT ONE TIME OR ANOTHER; HOWEVER, WHEN IT CONCERNS OUR NATIONAL DEFENSE, IT BECOMES NOT A LAUGHING MATTER BUT RATHER A DEADLY PERIL TO OUR EXISTENCE

(By Hon. ALEXANDER WILEY, United States Senator from Wisconsin)

In the life of a nation, belief in a myth may be as suicidal as an hallucination or a delusion in the life of an individual.

In the history of a people, a myth may be so powerful as to drug that people into paralysis, immobilize them into unpreparedness. Myths can be mightier than machines, more deadly than the deadliest poison gas.

Do you remember the myth back in the days of 1940 and 1941 to the effect that the United States could, if war came with Japan, lick the Nipponese within 30 to 60 days.

Do you remember the myth that paralyzed France in the early days of the Second World War to the effect that this was a phony war and that there would be no intensive fighting, but only an eventual negotiated peace?

These and other myths can be found throughout the pages of history, and often their consequences have been tragic.

At this time, I should like to ask the question (and I believe that all Reserve officers who read this article might like to ask the question): Are there myths today in our national thinking which might do us similar damage? Certainly no group in our Nation is as deeply concerned with ridding myths from our national consciousness than are Reserve officers. You men are, after all, the minute men of America's defense, the leaders who have sprung to the ramparts as the vanguard of our citizen army, navy, and air force whenever this blessed Republic has been endangered. Your eyes are clearly open to the realities of world politics and the world military situation. Myths are as obnoxious to you as poor arithmetic is unthinkable for a mathematician.

I believe that there are, indeed, many myths today which are doing us harm, and I should like to submit a few thoughts on some of them. Undoubtedly, my readers could add many more items to the list of myths which will follow. However long your list or mine may be, our aim is the same, to debunk the myths by the truth which sets men free.

Of course, different groups of our people tend to develop different myths. For that matter, every one of us, including myself, is subject to become a possible victim of some hokum at one time or another. When, however, hokum concerns our national defense, it becomes not a laughing matter or something to be tolerated, but a deadly peril to national existence.

Myths regarding Russia

The deadliest myths of all in our national thinking concern America's relations with the Union of Socialist Soviet Republics. It is obvious that these relations constitute the single most important subject in the world of today, for there are only two great powers today—the United States and the U. S. S. R., with a host of subsidiary powers.

We have unfortunately built our own mental iron curtain in many respects—an iron curtain of self-delusions about Russia. It is essential that we have a clear understanding of these delusions so that we can eliminate them.

Factors causing delusions

There are certain contributing factors which help cause many of our delusions regarding Russia. Among those factors are these:

1. The insidious efforts by Communist and fellow-traveler groups in our midst to deceive us regarding Russia's intentions and to mask Russia's true imperialist character.

2. Another factor accounting for our self-deluding beliefs about Russia, is that the U. S. S. R. represents a land whose traditions, whose entire approach is different from that of the western powers. We constantly interpret Russian actions, therefore, in the light of western morality and western precedents, whereas actually the thinking and the deeds of the leaders of Russia are based more upon the unscrupulous Asiatic precepts of Genghis Khan, than they are upon any western historical precedents.

3. A third factor accounting for our self-delusions regarding Russia, is that we Americans are so peace loving in our approach, so tired and disgusted with the results of two world wars, that we tend to substitute wishful thinking in order to deceive ourselves about the possibility of a third world war, and in order mentally to minimize that possibility.

Specific myths

Well, what then are the specific myths?

1. Perhaps the basic myth of all is that a crisis may some day slowly loom in our relations with Russia, at which time we will see quite clearly that war is in the offing and that we must prepare against war. You might call this "the myth of adequate time" for preparedness. It is a myth that in the event of a third world war we will have a considerable amount of surplus time in which to step up our conscription program, remobilize industry, decentralize key Government agencies, and leisurely prepare for hostilities.

It is quite obvious, however, from an analysis of the facts in this atomic age that time, like the dimension of space, has been virtually annihilated by the ingenious developments of split-second offensive warfare. We definitely will not have time to do any of the leisurely things that we had sufficient time to do in the First and Second World Wars. It is quite essential, therefore, that we do as many of the things which are possible now as we would do in the event that a deepened crisis of United States-Russian relations looms. Clearly we cannot now do everything that we would do if war appeared a matter of days off; ours is, after all, a peaceful economy of free men and women. We cannot keep our national budget, our industry, and our Government on a perpetual semiwar footing. But any expert observer knows that even in our present peaceful economy we are not now doing the minimum that we could do (e. g., in the field of stock piling) for adequate preparation against a potential conflict.

Inadequate decentralization

Take the field of Government decentralization, which I discussed in my article in the February 1948 issue of The Reserve Officer magazine. In this article I pointed out that one atomic bomb smashing Washington could quite obviously knock out the very heart and brains, so to speak, of our entire military defense set-up. I am very grateful for the wonderful response which this article met, particularly from the alert members of the Reserve Officer Association, throughout our country. But what has happened since that article appeared and since other individuals have explained the danger of an atomic bomb hitting the Pentagon Building in Arlington, Va.?

Well, judging at least from outward appearances, you could put all of the Federal decentralization preparations made since then in a single Reserve officer's hat. There has been hemming and hawing. There have been excuses and alibis. There have been promises about something being done in the nebulous future, but there has actually been more centralization in Washington than decentralization in recent months.

I have hopes that the results of the Hoover Commission on the Reorganization of the Executive Branch of the Government may serve to speed Government decentralization. However, it is quite clear that this Commission's efforts alone will not fill the need, but that some of the specific suggestions which others have recommended and which I recommended in my article last February, must be taken. Decentralization however, is but one part of the vast mosaic of defense preparations which are essential, when once we clearly recognize that we will not have sufficient time to gird our loins in a Third World War.

Now, obviously, there are many defense preparations being made necessarily secretly by our defense officials. Neither I nor any other layman would presume to ask that these confidential preparations be announced openly; on the contrary, secrecy in many instances is essential for national security. But it is clear, too, that our public could rightly be let in on a lot more details than the public is now permitted to have, especially as regards decentralization efforts of the National Security Resources Board, efforts to disperse our industry and Government against the possibility of war.

Wishful thinking about Russia

2. Well, will there be war at all? Every thinking person prays that war may never again come. This is especially true of every person who has seen the horrors of the First and Second World Wars and who knows that wars accomplish very little that is constructive and settle very few, if any, problems. It is our prayer—yours and mine—that the United Nations will find the basis for a just and lasting peace. But some people feel that the common folks of all the world are actually so sick and disgusted with war, that there could not possibly be a third world conflict. Thus, there is the specific myth that the peoples of the U. S. S. R., who suffered so much in the Second World War, would not allow themselves to be precipitated into a new global conflict. Nothing could be further from the truth. It obviously matters very little to the 6,000,000 Communists at the absolute helm of the Soviet Union what the people of the Soviet Union want or do not want. It obviously matters very little to these cold-blooded leaders that the Russian people have suffered grievously in the Second World War, that their loss in life was staggering, not to mention their loss in national resources and property.

It is quite clear that when and if the leaders of Russia believe that they could win a

Calendar No. 24

81ST CONGRESS
1ST SESSION

H. R. 128

[Report No. 38]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 1949

Read twice and referred to the Committee on Agriculture and Forestry

FEBRUARY 7, 1949

Reported by Mr. THOMAS of Oklahoma, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949:~~ *Provided,* ~~That any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, Seventy-ninth Congress because of~~

~~the production of war crops or of serving in the armed forces of the United States) shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment.~~ *That, notwithstanding the provisions of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotment for corn, wheat, cotton, and rice for any year after 1949 shall be computed and apportioned without regard to acreage planted, or to yields, in 1949.*

Passed the House of Representatives February 2, 1949.

Attest: RALPH R. ROBERTS,

Clerk.

Calendar No. 24

81ST CONGRESS
1ST SESSION

H. R. 128

[Report No. 38]

AN ACT

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

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Read twice and referred to the Committee on Agriculture and Forestry

FEBRUARY 7, 1949

Reported with an amendment

Calendar No. 24

81ST CONGRESS
1st Session

SENATE

REPORT
No. 38

PROVIDING THAT ACREAGE PLANTED TO COTTON IN 1949 SHALL NOT BE USED IN COMPUTING COTTON ACREAGE ALLOTMENTS FOR ANY SUBSEQUENT YEAR

FEBRUARY 7, 1949.—Ordered to be printed

Mr. THOMAS of Oklahoma, from the Committee on Agrieulture and Forestry, submitted the following

REPORT

[To accompany H. R. 128]

The Committee on Agrieulture and Forestry, to whom was referred the bill (H. R. 128) to provide that aereage planted to eotton in 1949 shall not be used in eomputing cotton-acreage allotments for any subsequent year, having eonsidered same, report favorably thereon with an amendment and reeommend that the bill as amended do pass.

The amendment is as follows:

Strike out everything after the enaeting clause and substitute the following:

That notwithstanding the provisions of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotment for corn, wheat, cotton, and rice for any year after 1949 shall be computed and apportioned without regard to acreage planted, or to yields, in 1949.

○

to return from the flight he was ordered to make.

I ask unanimous consent that the report of the Committee on Finance be printed in full in the RECORD as part of my remarks.

There being no objection, the report (No. 29) was ordered to be printed in the RECORD, as follows:

The Committee on Finance, to whom was referred the bill (S. 372) to provide for designation of the United States Veterans' Administration hospital at Americus, Ga., as the Marcus George Veterans Memorial Hospital, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The official record of service of the late Lt. Joseph Marcus George, United States Naval Reserve, active, is as follows:

1911, November 16: Born in Vienna, Ga.

NATIONAL GUARD SERVICE

1935, January 21: Enlisted in Company L, One Hundred Twenty-first Infantry, Georgia National Guard. February 2: Promoted to rank of sergeant.

1936, June 15: Discharged.

ENLISTED UNITED STATES NAVAL RESERVE SERVICE

1938, July 13: Enlisted in United States Naval Reserve. October 10: Enlistment terminated.

OFFICER UNITED STATES NAVAL RESERVE SERVICE

1938, October 11: Accepted appointment and executed oath of office as aviation cadet, United States Naval Reserve, to rank from October 3, 1938. October 30: Reported to United States Naval Air Station, Pensacola, Fla., for active duty undergoing training.

1939, September 18: Designated naval aviator (heavier-than-air). October 20: Accepted appointment and executed oath of office as ensign. A-V (N), United States Naval Reserve, to rank from October 15, 1939. Detached United States Naval Air Station, Pensacola, Fla., and transferred to Patrol Squadron 53 for active duty involving flying. Reported November 9, 1939. Further transferred to Patrol Squadron 83 for duty involving flying.

1942, January 23: Accepted appointment and executed oath of office as lieutenant (junior grade) A-V (N), United States Naval Reserve, for temporary service. June 27: Accepted appointment and executed oath of office as lieutenant A-V (N), United States Naval Reserve, to rank from June 15, 1942, for temporary service.

1943, February 7: Detached Patrol Squadron 83 and transferred to a bombing squadron for duty involving flying. Reported February 18, 1943.

Education: University of Georgia.

Medals: American Defense Service Medal, Fleet Clasp, Purple Heart.

Died: Presumptive August 8, 1944. Officially reported to be missing in action as of August 7, 1943, when the plane which he was aboard was lost in the Atlantic area. In compliance with section 5 of Public Law 490, as amended, death is presumed to have occurred on the 8th day of August 1944.

Place: Atlantic area.

Cause: Plane lost (enemy action).

According to the records on file Lieutenant George was listed on the records of the Navy Department in the status of missing in action as of August 7, 1943. He was on board a plane which took off from the naval air station, New York, on an antisubmarine patrol flight. Several minutes after the plane took off, it was instructed by its base to proceed to position 37° 35' north latitude and 71° 20' west longitude, in order to investigate that area and to stand by a plane which had landed to pick up survivors of another plane which had been shot down by an enemy submarine. The last message received was an acknowledgment of the receipt of the above message. Weather conditions in the area at the time included excellent visibility and a calm sea with light swells. Extensive but unsuccessful search operations were conducted. Reports received state that the reason for the failure of the plane to return is unknown but its loss is believed to have been the result of enemy submarine gunfire.

The committee is in accord with the purposes of the bill and recommends its enactment.

Mr. CONNALLY. Lieutenant George was a son of our colleague the distinguished Senator from Georgia [Mr. GEORGE], chairman of the Committee on Finance. The United States, through the Congress, does a most appropriate and gallant thing in making this public recognition of our admiration for Lieutenant George's heroism, his patriotism, and his great achievements in his chosen work.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the proposed United States Veterans' Administration hospital at Americus, Ga., shall be known and designated on the public records as the Marcus George Veterans Memorial Hospital.

RECONVEYANCE OF LAND TO HELENA CHAMBER OF COMMERCE

The bill (S. 460) to authorize the Administrator of Veterans' Affairs to reconvey to the Helena Chamber of Commerce certain described parcels of land in the city of Helena, Mont., was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wish to call the attention of the Senate to the fact that, in my judgment, the bill is an exceedingly meritorious one in that it does not violate the general principle in regard to the disposal of Federal property, which I in times past have sought to protect. But because controversy will undoubtedly arise in the future in connection with other transfers of Federal property, I wish to make a few comments on the pending bill.

As the committee's report shows, it relates to a piece of property, valued at between $10,000 and $15,000, which was transferred to the Veterans' Administration by the Helena Chamber of Commerce for the specific purpose of erecting on the property a Veterans' Administration regional office. The transfer was for that purpose, and that purpose only, with the reservation, of course, in the conveyance that if the property were not used for that purpose, it would revert to the Helena Chamber of Commerce. The committee report shows that it has now been decided that the property will not be used for the purpose originally intended, because the Veterans' Administration has agreed upon a consolidation program which will make possible the use of an office building in another vicinity. Therefore, under the terms of the conveyance itself, the Federal Government is not entitled to the retention of the property, and consequently the bill is a meritorious one.

I make that statement because I want to lay down the distinction between this case and cases which, I surmise, may arise in the future as they have in the past. So far as the junior Senator from Oregon is concerned, he will not give unanimous consent to making gifts of Federal property to cities, counties, and local governmental units of States without just compensation paid to the American taxpayers who own the property.

Mr. GEORGE. Mr. President, in addition to what the Senator from Oregon has stated, I desire to say that the Federal Government has incurred no expense in the improvement of this property. The transfer will be made without cost to the Federal Government.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 460) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized to reconvey by quitclaim deed to the Helena Chamber of Commerce, a corporation, two parcels of land in Helena, Mont., commonly designated as lot numbered 10 and the south 55 feet of lot numbered 9 of the Henry Thompson placer mining claim in Lewis and Clark County, Mont., which parcels were conveyed to the United States of America by the Helena Chamber of Commerce by deed dated February 7, 1947, and recorded among the land records of said county, in Book 140 of Deeds at page 63.

STAMP COMMEMORATIVE OF THE TWO HUNDREDTH ANNIVERSARY OF FOUNDING OF ALEXANDRIA, VA.

The bill (S. 492) to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.," be amended to read as follows:

"That the Postmaster General is authorized and directed to issue, during 1949, a special 6-cent air-mail postage stamp, of such design as he shall prescribe, in commemoration of the two hundredth anniversary of the founding of the city of Alexandria, Va."

REGULATION OF EXPORTS

The bill (S. 548) to provide for continuation of authority for the regulation of exports and for other purposes, was announced as next in order.

The VICE PRESIDENT. That bill is the unfinished business before the Senate, and will go over until later.

COTTON ACREAGE PLANTED IN 1949

The Senate proceeded to consider the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county,

and farm acreage allotment for corn, wheat, cotton, and rice for any year after 1949 shall be computed and apportioned without regard to acreage planted, or to yields, in 1949.

Mr. LANGER. Mr. President, may we have an explanation of the bill?

Mr. THOMAS of Oklahoma. It is a House bill, dealing with cotton. When the bill came to the Senate committee, it was decided to include wheat, corn, and rice. The amendment provides that the acreage planted this year to the production of cotton, wheat, corn, and rice shall not be used in future years in computing the acreage applicable to any farmer.

The purpose of the bill is to discourage production after this year, for the reason that we now have a surplus of some 6,000,000 bales of cotton. The record shows approximately 300,000,000 bushels of wheat at the end of the year, and we shall also have a large supply of corn and a reasonable supply of rice. Having these large supplies on hand, it was the recommendation of the Department that we should not consider the acreage planted this year in computations for allotments for production and marketing.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, do I correctly understand from what the Senator has said that it will tend to cut down the amount of subsidies which the Government may be expected to pay?

Mr. THOMAS of Oklahoma. Obviously so. The reason for this proposed legislation, as I understand and believe, is this: Farmers, knowing they will have a high-support price for this year's acreage, 90 percent, believe they can plant and raise a large crop and get a higher support price. That is one reason. Another reason is that by an increase in their acreage they thought that perhaps they could increase their parity. So the bill is designed to curtail or eliminate those two points.

Mr. REED. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. REED. Mr. President, I should like to add to what the Senator from Oklahoma has said, that when a quota of acreage is established it is usually on a historic basis as to what the particular producer has had over the years. The great increase in wheat and cotton acreage naturally would distort the quota.

I think it is highly desirable that some control be had over the acreage. Excluding this increase in acreage of cotton, and, to some extent, applying it to other production, is a desirable thing.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TAFT. Would not the necessary effect be to result in more planting of cotton this year, 1949?

Mr. THOMAS of Oklahoma. The cotton season has not started yet. Some has been planted in the Southern States. The reason for offering the bill is to serve notice officially on all cotton planters that they cannot have considered their acreage for this year.

Mr. TAFT. I see. It is to have the opposite effect.

Mr. THOMAS of Oklahoma. That is correct.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent that the Secretary be authorized to correct the title to conform to the body of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

GENERAL ACCOUNTING OFFICE BUILDING

The bill (S. 713) to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provisions of Public Law 533, Eightieth Congress, approved May 18, 1948, limiting the cost of the General Accounting Office Building to $22,850,000 be, and the same are hereby, amended to increase such limit of cost to $25,400,000.

REPEAL SECTION 509 OF TITLE 34, UNITED STATES CODE

The Senate proceeded to consider the bill (S. 77) to repeal section 509 of title 34 of the United States Code, approved June 30, 1876 (ch. 159, 19 Stat. 69).

Mr. WHERRY. Mr. President, may we have an explanation of the bill?

Mr. RUSSELL. Mr. President, the purpose of this bill is to repeal an act passed by Congress in 1876, which prohibited the Navy Department from employing any person within 60 days of an election, unless the Secretary of the Navy issued a certificate that the employment was necessary, and the certificate was published. That statute is entirely archaic now, in view of the civil-service system, and other laws.

The bill S. 77 was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 509 of title 34 of the United States Code, approved June 30, 1876 (ch. 159, 19 Stat. 69), is hereby repealed.

DISPOSITION OF CERTAIN PERSONAL PROPERTY

The bill (S. 629) to authorize the disposition of certain lost, abandoned, or unclaimed personal property coming into the possession of the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, are hereby authorized to dispose of by sale or otherwise, 1 year after date of receipt, all lost, abandoned, or unclaimed personal property which is now or may hereafter come into the possession, custody, or control of the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force, as the case may be: *Provided*, That an effort shall be made to determine and locate the owner or owners thereof, or their legal representatives, and that in all cases where the owner thereof, or legal representative, has been determined the poperty shall not be sold or otherwise disposed of for a period of 90 days after written notice has been sent to his last known address.

SEC. 2. The net proceeds received from the sale of any such property by the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force shall be covered into the Treasury as miscellaneous receipts.

SEC. 3. Claims for the net proceeds, if any, of such property so disposed of may be filed with the General Accounting Office by the rightful owners or their legal representatives at any time prior to the expiration of 3 years from the date of the disposal of the property and, if not so filed, are barred from being acted on by either courts or the accounting officers.

SEC. 4. The Secretary of the Treasury, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, are authorized to prescribe such rules and regulations as may be necessary to carry out the purposes and provisions of this act.

SEC. 5. Any property coming within the provisions of this act which may be delivered to the Soldiers' Home under regulations prescribed by the Secretary of the Army or the Secretary of the Air Force shall be limited to papers of value, sabers, insignia, decorations, medals, watches, trinkets, manuscripts, or other articles valuable chiefly as keepsakes.

SEC. 6. This act shall not be construed as amending or repealing the act of March 29, 1918 (40 Stat. 499); article 112 of section 1, chapter 11, of the act of June 4, 1920 (41 Stat. 809); the act of February 21, 1931 (46 Stat. 1203); the act of December 28, 1945 (59 Stat. 662), as amended; or the act of August 2, 1946 (60 Stat. 846–847), as amended.

AGE LIMIT FOR APPOINTMENT IN SUPPLY CORPS

The bill (S. 630) to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That section 19 of the act of August 13, 1946 (60 Stat. 1057), as amended, is hereby further amended to read as follows:

"SEC. 19. No person shall be appointed to a commissioned grade in the Supply Corps of the Navy who will be less than 21 years of age on July 1 of the calendar year in which appointed and until his physical, mental, and moral qualifications have been established to the satisfaction of the Secretary of the Navy."

AUTHORITY TO ACCEPT CERTAIN GIFTS

The bill (S. 632) to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following-named members and former members of the naval service are hereby authorized to accept such gifts as have been tendered them by foreign governments as of the date of approval of this Act: Rear Admiral Harold M. Martin, United States Navy; Captain William

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 81st CONGRESS, FIRST SESSION

Vol. 95 WASHINGTON, WEDNESDAY, FEBRUARY 9, 1949 *No. 18*

Senate

The Senate was not in session today. Its next meeting will be held on Thursday, February 10, 1949, at 12 o'clock meridian.

House of Representatives

WEDNESDAY, FEBRUARY 9, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Most Holy God of our salvation, for the glory of Thy name, purge away our sins and endow us with a chastened sense of the liberties of all men.

These are times which try men's souls; minds are perplexed and hearts are sad and heavy. A consecrated servant of a great church has been outrageously judged in the name of a godless state. O bore into the ruthless minds of the leaders the deathless truth, that a nation that sows to the wind shall reap to the whirlwind, and whatsoever it sows, that shall it also reap. Teach them that right, and not might, that Christ, and not Caesar, speaks the final word by which nations live. O continue to work Thy great purpose, and Thine shall be the praise. In the name of a merciful and just Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 128. An act to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 15. An act to amend the act entitled "An act to prevent purchase and sale of public office," approved December 11, 1926;

S. 26. An act for the relief of Jose Babace;

S. 27. An act for the relief of certain Basque aliens;

S. 29. An act to authorize payments of claims based on loss of or damage to property deposited by alien enemies;

S. 32. An act for the relief of Milo Jurisevic, Mrs. Jelena Jurisevic, Svetozar Jurisevic, and Radmila Jurisevic;

S. 77. An act to repeal section 509 of title 34 of the United States Code, approved June 30, 1876 (ch. 159, 19 Stat. 69);

S. 90. An act to provide for the naturalization of Richard Kim;

S. 278. An act to prevent retroactive checkage of payments erroneously made to certain retired officers of the Naval Reserve, and for other purposes;

S. 279. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander;

S. 307. An act for the relief of Engebert Axer;

S. 315. An act for the relief of Dr. Chung Kwai Lui;

S. 331. An act for the relief of Ghetel Pollak Kahan, Magdalena Linda Kahan (wife), and Susanna Kahan (daughter, 12 years old);

S. 335. An act for the relief of Claris U. Yeadon;

S. 372. An act to provide for designation of the United States Veterans' Administration hospital at Americus, Ga., as the Marcus George Veterans Memorial Hospital;

S. 460. An act to authorize the Administrator of Veterans' Affairs to reconvey to the Helena Chamber of Commerce certain described parcels of land situated in the city of Helena, Mont.;

S. 485. An act for the relief of Joyce Violet Angel;

S. 492. An act to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.";

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes;

S. 629. An act to authorize the disposition of certain lost, abandoned, or unclaimed personal property coming into the possession of the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force, and for other purposes;

S. 630. An act to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to the commissioned grade in the Supply Corps of the Navy;

S. 632. An act to authorize certain personnel and former personnel of the Navy Establishment to accept certain gifts and a foreign decoration tendered by foreign governments;

S. 673. An act relating to the pay and allowances of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes;

S. 713. An act to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia; and

S. J. Res. 22. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The message also announced that the Vice President had appointed Mr. NEELY and Mr. HUMPHREY as members on the part of the Senate of the Joint Committee on Labor-Management Relations.

ANNOUNCEMENT

The SPEAKER. The Chair desires to make an announcement. Those committees that have consent to sit during the sessions of the House during general debate are not supposed to sit this afternoon, and they have no authority to do so; so I trust that all chairmen of committees will take notice.

PERMISSION TO ADDRESS THE HOUSE

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

FEDERATION OF EUROPE

Mr. MANSFIELD. Mr. Speaker, there is a great deal of talk about a proposed federation of western Europe. There will be some action taken, I presume, very shortly upon the proposed North Atlantic Pact. It is my belief that if we are going to have a federation of Europe—and I think we should—the component parts of that federation should be strong. I am, therefore, today introducing a concurrent resolution in order to encourage the development of a peaceful and prosperous order in Ireland, but with no intention of imposing any particular form of political or economic association upon its people. Under this resolution it will be resolved by the House of Representatives—the Senate concurring—that the Congress favors the political federation of northern Ireland and the Republic of Ireland. There is no reason why this vexing problem of partition should not be solved so that the Irish Nation can once again become united to the end that Ireland, as a full-fledged republic, can again take its rightful position among the family of nations.

FARM ACREAGE ALLOTMENTS

Mr. PACE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton-acreage allotments for any subsequent year, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COOLEY, PACE, POAGE, HOPE, and AUGUST H. ANDRESEN.

COMMITTEE ON ARMED SERVICES

Mr. VINSON. Mr. Speaker, I present a privileged resolution (H. Res. 80) from the Committee on Armed Services, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Secretary for National Defense is hereby requested, if not incompatible with the public interest, to furnish the House of Representatives at such time as may be convenient prior to the adjournment of the present session of Congress such factual information as may be definitely available showing administrative action on the program of preparedness for national defense.

Mr. VINSON. Mr. Speaker, this resolution was introduced by the gentleman from New York [Mr. EDWIN ARTHUR HALL]. Since a letter from the Secretary contains the information called for in the resolution, and that information has already been sent to the gentleman from New York, I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON WAYS AND MEANS

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from the further consideration of the bill (H. R. 313) to amend title 26, United States Code, so as to make the provisions thereof applicable to service personnel, and that the bill be referred to the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. TEAGUE asked and was given permission to extend his remarks in the RECORD and include extraneous material.

Mr. GRANAHAN asked and was given permission to extend his remarks in the RECORD and include a letter to the Secretary of State from the Catholic War Veterans, protesting against the trial of Josef Cardinal Mindszenty.

Mr. MILLER of California asked and was given permission to extend his remarks in the RECORD and include a letter and a resolution from the water project authority of the State of California.

Mr. WAGNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very fine editorial from the Cincinnati Post entitled "Trial by Error," and also a very fine editorial from the same newspaper entitled "Our Norwegian Ally."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. CHRISTOPHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CARDINAL MINDSZENTY

Mr. CHRISTOPHER. Mr. Speaker, I rise to register my personal disapproval and indignation at the sham trial and conviction of Cardinal Mindszenty, of Hungary. He is a true man of God, a devout Christian whose only crime has been to preach the religion of Jesus Christ and he faces life imprisonment only because the tenets of Christianity are incompatible with communism. I wish to publicly state that in my opinion his imprisonment will be an indelible blot on the record of his country and a challenge to Christians everywhere.

SPECIAL ORDER GRANTED

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TAURIELLO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CARDINAL MINDSZENTY

Mr. TAURIELLO. Mr. Speaker, as a Member of this Congress, I also want to raise my voice in protest at the infamous and outrageous trial that was just held in Hungary and the conviction and sentence of Cardinal Mindszenty. This trial was a travesty on justice, involving a high dignitary of the church. It is not so much that it happened to be a high dignitary of the Catholic Church, because today it is Cardinal Mindszenty and tomorrow it may be a high dignitary of some other Christian denomination. Certainly this is a challenge to the Christian world. We as Christians should accept this challenge and raise the torch and carry it forward in our fight to eradicate these Godless men who have just completed this outrageous trial. Let us stand up and fight these ungodly forces who are trying to destroy Christianity throughout the world.

I am appending two articles from newspapers of my home city of Buffalo bearing on this very important question:

[From the Buffalo (N. Y.) Courier-Express of February 8, 1949]

COMMUNIST "JUSTICE"

Technically, Cardinal Mindszenty is awaiting the verdict of the Budapest "people's court" trying him on a charge of treason. Actually he is awaiting sentence. A verdict of "guilty" was determined by Hungary's Communist masters before the cardinal's trial began. The only question now is whether a death sentence or one of imprisonment is to be imposed. The choice between the two penalties will be made entirely on polical and propaganda grounds, of course, without regard for principles of justice.

There has been much speculation as to how the cardinal's captors induced him to make certain statements at his trial which conflict with his pretrial utterances. There are suggestions of torture, drugging, and even of hypnotism. Whatever the explanation, there is nothing new about "confessions" in Communist-dominated courts. Going back to the first persecution of an internationally famous church leader in the Communist "courts"—that of Patriarch Tikhon, of the Russian Orthodox Church in 1922 and 1923—we find some parallels with the Mindszenty case.

Because Tikhon had resisted Soviet attacks on the Orthodox Church in particular and on religion in general, he and a number of his clergy were brought to trial on charges of refusing to turn over church property for famine relief. Two archbishops and a number of priests were condemned to death, but Tikhon's trial was postponed. He was brought before a Communist-dominated "conclave," however, at which he was "unfrocked" and "expelled" from the church—but he denied the "conclave's" authenticity and continued to function as Orthodox primate of Russia. Later Tikhon was temporarily released and was quoted officially as making a proposal for Orthodox compromise with the Soviet government—a proposal completely in conflict with his earlier public pronouncements and policies. Then Tikhon's name disappeared from Russian dispatches until announcement of his death (presumably in imprisonment) in 1925. The circumstances surrounding his death never have been cleared up.

A more recent instance of Communist jurisprudence can be found in the purge trials of the old Bolsheviks a dozen years ago.

Among the prominent Communist leaders on trial were men with long and eminent rec-

tion of Business and Professional Women's Clubs, Inc., on January 3, 1949, at Hotel Statler, Washington, D. C., which appear in the Appendix.]

LINCOLN DAY DINNER ADDRESS BY GOVERNOR DEWEY

[Mr. IVES asked and obtained leave to have printed in the RECORD the Lincoln Day dinner address delivered by Governor Dewey, at the Mayflower Hotel, Washington, D. C., on February 8, 1949, which appears in the Appendix.]

ADDRESS BY THE AMBASSADOR FROM NORWAY AT THE CHRISTMAS CARNIVAL, BIRMINGHAM, ALA.

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD the address delivered by the Ambassador from Norway, Wilhelm Morgenstierne, at a banquet given as a part of the Christmas carnival at Birmingham, Ala., on November 27, 1948, which appears in the Appendix.]

TRIBUTE BY SENATOR WITHERS TO LT. GEN. SIMON BOLIVAR BUCKNER

[Mr. WITHERS asked and obtained leave to have printed in the RECORD a tribute prepared by him to the memory of Lt. Gen. Simon Bolivar Buckner, which appears in the Appendix.]

WORK OF THE UNITED STATES AIR FORCE IN MAINTAINING BERLIN AIRLIFT—STATEMENT BY SENATOR JOHNSON OF TEXAS

[Mr. JOHNSON of Texas asked and obtained leave to have printed in the RECORD a statement prepared by him entitled "Nation Should Honor Air Force for Success of Berlin Airlift," which appears in the Appendix.]

OIL PRODUCTION IN TEXAS—STATEMENT BY ERNEST O. THOMPSON

[Mr. JOHNSON of Texas asked and obtained leave to have printed in the RECORD a statement concerning the production of oil in Texas, made by Ernest O. Thompson, commissioner, Railroad Commission of Texas, which appears in the Appendix.]

PETER MARSHALL, LATE CHAPLAIN OF THE SENATE

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD a statement prepared by him in tribute to Rev. Peter Marshall, late Chaplain of the Senate, which appears in the Appendix.]

PRESIDENT TRUMAN'S DAY—EDITORIAL FROM THE SHEBOYGAN (WIS.) PRESS

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "President Truman's Day," published in the January 24, 1949, issue of the Sheboygan Press of Sheboygan, Wis., which appears in the Appendix.]

TIME TO STOP, LOOK, LISTEN—EDITORIAL FROM THE KANSAS CITY STAR

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial entitled "Time to Stop, Look, Listen," from the Kansas City Star of February 6, 1949, which appears in the Appendix.]

AMERICANS HAVE SUFFERED THE TORTURES INFLICTED ON CARDINAL MINDSZENTY

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD a press release by the Department of State dated October 7, 1948, depicting the circumstances under which two American officials were forced to sign false confessions by the Hungarian Government, which appears in the Appendix.]

COMPULSORY ARBITRATION—ADDRESS BY DR. GEORGE W. TAYLOR

[Mr. DOUGLAS asked and obtained leave to have printed in the RECORD an address, entitled "Is Compulsory Arbitration Possible?," recently delivered by Dr. George W. Taylor, former Chairman of the War Labor Board, and a brief foreword by himself, which appear in the Appendix.]

AMERICAN INDUSTRIAL RELATIONS—ADDRESS BY DR. EDWIN E. WITTE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address entitled "Where Are We at in Industrial Relations?," delivered by Dr. Edwin E. Witte, professor at the University of Wisconsin, at the first annual meeting of the Industrial Research Relations Association, on December 30, 1948, which appears in the Appendix.]

PATRONAGE JOBS—EDITORIAL FROM THE STARS AND STRIPES

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "Patronage Jobs," published in the January 6, 1949, issue of the Stars and Stripes, which appears in the Appendix.]

TVA AFTER 15 YEARS—EDITORIAL FROM THE NEW YORK TIMES

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "TVA After 15 Years," published in the New York Times, January 2, 1949, which appears in the Appendix.]

ATOMIC DEVELOPMENT—NEWSPAPER COMMENT

[Mr. McMAHON asked and obtained leave to have printed in the RECORD three articles regarding atomic-energy development, two from the Washington Post and one from the Washington Star, which appear in the Appendix.]

PRESIDENT TRUMAN'S INTEREST IN THE DEVELOPMENT OF AFRICA—ARTICLE FROM THE COLORADO STATESMAN

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an article from the Colorado Statesman concerning the development of Africa, which appears in the Appendix.]

THE NATIONAL HEALTH PROBLEM—ARTICLE FROM THE NEW YORK TIMES

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an article from the New York Times regarding the national health problem, which appears in the Appendix.]

COMPUTATION OF COTTON ACREAGE ALLOTMENTS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. THOMAS of Oklahoma. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. THOMAS of Oklahoma, Mr. ELLENDER, Mr. LUCAS, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

POSTPONEMENT OF DATE OF REPORTING LEGISLATIVE BUDGET

Mr. McKELLAR. Mr. President, from the Committee on Appropriations, I report favorably House Concurrent Resolution 22, and I submit a report (No. 48) thereon. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the date of reporting the legislative budget, as set forth in section 138 (a) of the Legislative Reorganization Act of 1946, as it may apply to the budget for the fiscal year ending June 30, 1950, is hereby postponed until May 1, 1949.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. WHERRY. Mr. President, reserving the right to object, I am somewhat confused. Let me address an inquiry to the majority leader. It was my understanding that the business of the Senate today was to be confined to a debate on the District of Columbia daylight-saving time bill. I did not know that this resolution would be ready for debate today. The chairman of the committee has reported the concurrent resolution, and is asking unanimous consent for its immediate consideration.

Mr. McKELLAR. That is correct.

Mr. WHERRY. Personally I do not intend to object to the immediate consideration of this resolution, but I want Members of the Senate to know that this is a highly important question. It is a question of placing a ceiling limitation on the budget this year. According to the Reorganization Act, however, the legislative budget must be reported and acted upon by February 15.

Mr. McKELLAR. That is correct.

Mr. WHERRY. I am in favor of that. I think the resolution should be considered, but I think we should know what the Federal expenditures are to be. If we do not, the very spirit of the Reorganization Act is circumvented.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. WHERRY. I shall be glad to yield the floor in a moment, so that the Senator from Massachusetts may address a question to the Senator from Tennessee.

Personally, I am not objecting to the consideration of this resolution at this time. I think it should be considered. However, I want Members on this side of the aisle to know that this is a very important matter. Some of our Members may not be able to be present, because I informed them that the immediate legislation for consideration would be the District of Columbia daylight saving time bill.

However, we are confronted with the dilemma that if we do not consider and act upon this resolution by February 15, we shall be guilty of postponing this question beyond that date. I believe that the resolution should be adopted. We should have the report before us.

We ought to know what the appropriations are to be. When I say that, I think I reecho all the observations made by Members on this side of the aisle when this question was before the Senate on a previous occasion.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I yield.

Mr. BALDWIN. Is not this the same question which we had under consideration 2 years ago?

Mr. WHERRY. It was last year.

Mr. BALDWIN. At that time the Republicans asked for an extension.

Mr. WHERRY. They certainly did.

Mr. BALDWIN. Did they ask for an extension for the same reason for which the majority party is now asking for an extension?

Mr. WHERRY. I presume that the end results would probably be the same, except that at this particular time the Democratic Party is in control of the administration and in control of the various branches of government.

Mr. BALDWIN. All I have to suggest is that perhaps it should be stated for the RECORD that we would like to say the same things against extension that the Democrats said a year ago, so that we may be "even Stephen."

Mr. McKELLAR obtained the floor.

Mr. BRIDGES and Mr. LODGE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Tennessee yield, and if so, to whom?

Mr. McKELLAR. I yield to the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, I should like to clear up one point. I believe the Senator from Nebraska may have left that point in question. Last year the Republicans did not ask for an extension.

Mr. WHERRY. No.

Mr. BRIDGES. We complied with the law. It so happened that the Senator from New Hampshire, in presenting the question, pointed out the hardships under which we were laboring in making our recommendation, but we asked for no extension. We complied with the law.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LODGE. This is a question of considerable importance. Why can it not be made the unfinished business, so that we may proceed with the morning hour in the normal way?

Mr. McKELLAR. I shall be glad to answer that question. The reason is that last year a similar resolution failed because of lack of time. The 15th of February rolled around before the two Houses could agree. There was a conference, and there was objection, and therefore no resolution was passed. Yesterday the committee ordered this resolution reported to the Senate. I shall read from the report of the committee, because it was put in, and very properly so, at the request of our Republican friends, and because I think everyone voted for it:

> The committee realizing that there should be a complete resurvey of section 138 of the Legislative Reorganization Act of 1946, which is the section pertaining to the legislative budget, respectfully suggests to the Joint Committee on the Legislative Budget that it carefully study section 138 of the act with a view to making recommendations as to whether section 138 should be repealed, whether it should be amended, or whether in lieu of the method prescribed in section 138 for fixing a more effective control over appropriations and expenditures, Congress should provide for an omnibus appropriation bill as a means of placing before the Congress the over-all appropriation figure and permitting the Congress to have before it for action all the ensuing fiscal year appropriation bills at one time.

That was put in in order to have the joint committee look into the whole matter and make its report to the Congress. I see no objection at all to it, and I think it should satisfy everyone.

All of us realize that in the committee it is impossible in the next 4 or 5 days to arrive at a legislative budget or budget estimate, and the time should be extended so that we can submit a report on the budget estimate.

In view of what our experience has been and in view of what the experience of the Appropriations Committee was last year, I hope all Senators will agree to the request, and I appeal to Senators to let the concurrent resolution be adopted as the best way out of the difficulty which confronts us, and the only way that is now open to us.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LODGE. I should like to ask the Senator why it is proposed that the Senate act on this matter during the morning hour. It seems to me it would be a very bad practice to start rushing things through during the morning hour, and would lead to all sorts of confusion. I wonder why we cannot take up this matter after we conclude the morning hour, and then make the concurrent resolution the unfinished business and deal with it today. It seems to me that the practice, which is beginning here, of legislating during the morning hour is most unsound.

Mr. McKELLAR. If the Senator from Massachusetts or if the Senate thinks that would be the better method of arranging the matter, I am perfectly willing to ask unanimous consent a little later. But it seems to me that it is obvious that there cannot be a report from the committee within the time limit fixed by the law, and so it is our duty to extend the time to a date by which we can have a report from the committee, which is May 1. So I think that should be done.

Mr. McCLELLAN and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I promised to yield to the Senator from Arkansas, and I now yield to him.

COMMITTEE HEARINGS DURING SENATE SESSION—POSTPONEMENT OF DATE OF REPORTING LEGISLATIVE BUDGET

Mr. McCLELLAN. Mr. President, I do not wish to object to the request for unanimous consent made by the Senator from Tennessee; but I should like to ask unanimous consent that the Committee on Expenditures in the Executive Departments be permitted to meet and to continue hearings this afternoon, while the Senate is in session.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none.

Mr. FERGUSON. I object.

Several Senators addressed the Chair.

Mr. McKELLAR. I yield to the Senator from South Carolina.

The VICE PRESIDENT. Did the Chair correctly understand the Senator from Michigan to object?

Mr. FERGUSON. I did.

The VICE PRESIDENT. Then that ends the matter.

Mr. WHERRY. Mr. President, may I address an observation to the Chair?

The VICE PRESIDENT. The Senator from Michigan objected to the consideration of this matter.

Mr. WHERRY. I believe it was to the request for the consideration of the concurrent resolution that the Senator from Michigan objected.

Mr. LODGE. Mr. President, I object to having the concurrent resolution taken up during the morning hour.

The VICE PRESIDENT. Let the Chair ask the Senator from Michigan to what he was objecting.

Mr. FERGUSON. I should like to propound a parliamentary: What is the question before the Senate?

The VICE PRESIDENT. First, the unanimous-consent request propoundcd by the Senator from Tennessee [Mr. McKELLAR], to which the Senator from Massachusetts has now objected.

The other unanimous-consent request was made by the Senator from Arkansas [Mr. McCLELLAN], and was that the Committee on Expenditures in the Executives Departments be permitted to sit and hold hearings during the session of the Senate.

Mr. FERGUSON. Mr. President, let me make the record clear. I wish to object to having the Senator from Tennessee bring up the concurrent resolution at this time. I thought that was the question before the Senate. I have no objection to the sitting this afternoon of the Committee on Expenditures in the Executive Departments.

The VICE PRESIDENT. The Senator from Michigan objected to the consideration of the concurrent resolution reported by the Senator from Tennessee; is that correct?

Mr. FERGUSON. That is correct.

The VICE PRESIDENT. Without objection, the request of the Senator from Arkansas [Mr. McCLELLAN] is granted; and on objection the concurrent resolution goes to the calendar; or if the Senator from Tenncssee desires to have the concurrent resolution remain on the table until a later hour, he has a right to have that done.

Mr. McKELLAR. Must I obtain unanimous consent to have that done? I should appreciate it very much if the Senate would allow the concurrent resolution to lie on the table, so that it may be brought up a little later.

Mr. FERGUSON. Mr. President, I have no objection to having it brought up later. It was merely to having it

81st Congress, 1st Session } HOUSE OF REPRESENTATIVES { Report No. 269

COTTON PLANTED IN 1949 TO BE EXCLUDED IN COMPUTING COTTON ACREAGE ALLOTMENTS

MARCH 21, 1949.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 128]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949.*

And the Senate agree to the same.

That the Senate recede from its amendment to the title.

HAROLD D. COOLEY,
STEPHEN PACE,
W. R. POAGE,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,
Managers on the Part of the House of Representatives.

ELMER THOMAS,
ALLEN J. ELLENDER,
MILTON R. YOUNG,
SCOTT W. LUCAS,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments.

The Senate amendment struck out all after the enacting clause in the House bill and substituted language which would eliminate acreages planted in 1949 to cotton, corn, wheat, and rice from consideration in establishing acreage allotments in subsequent years. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same. Except for the differences explained below, the conference substitute is the same as the House bill.

The House bill directed that the yields of, and acreages planted to, cotton in 1949 should not be considered in computing future cotton acreage allotments with a proviso that any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, 79th Cong., because of the production of war crops or of serving in the armed forces of the United States) shall be regarded as having a 1948 planted acreage equal to the 1942 farm acreage allotment.

The substitute amendment as agreed to in conference, in effect, accepts all the House bill except the proviso which is eliminated.

Under the substitute bill agreed to in conference, the year 1949 would be eliminated in the calculation of allotments, therefore, the 5- and 3-year periods now required to be used in the establishment of State, county, and farm allotments would, where 1949 is within any such period, be selected by substituting for 1949 the year next preceding the period which would otherwise be used; for example, if acreage allotments are put into effect in 1951 and a 5-year period is used as a basis for making State and county allotments, then instead of the years 1945 to 1949, inclusive, being used, the years 1944 to 1948, inclusive, would be used: and, if a 3-year period is used as a basis for making allotments to farms, then, instead of the years 1948, 1949, and 1950 being used, the years 1947, 1948, and 1950 would be used.

Insofar as Public Law 12, Seventy-ninth Congress, is concerned, the action of the House conferees in agreeing to the substitute is not to be construed as a recession on the part of the House conferees from the position taken by the House in connection with H. R. 128, when the bill originally passed the House. The Senate conferees in agreeing to the substitute neither disapproved nor approved the interpretation of Public Law 12, adopted by the House. The Senate conferees took the position that since the Senate committee had held no hearings and

since, under the rules of the Senate, no explanatory statement on the part of the Senate conferees is required or permitted in the conference report, they did not deem it appropriate to assert themselves with respect to the matter.

Because of representations made to the House conferees by administrative officials of the Department of Agriculture, which would indicate an intention to apply Public Law 12 in a manner which, in the opinion of the House conferees, is wholly illegal and contrary to the intent and purposes of Public Law 12, your conferees have made a full and complete examination of the matter, including an analysis of the legislative history of Public Law 12, in order to determine the effect of that law upon the operation of the provisions of the Agricultural Adjustment Act of 1938, as amended, with respect to the establishment of cotton acreage allotments and marketing quotas thereunder.

The House conferees, and the House Committee on Agriculture as indicated in its report on H. R. 128, consider Public Law 12 and the regulations issued thereunder, together with the information given farmers through a press release issued by the Department of Agriculture on March 9, 1945, as establishing certain rights with respect to those cotton farms on which the production of war crops was increased during the war emergency years and on those cotton farms whose cotton-production history was below normal because the owners or operators were serving in the armed forces. All that remains to be done under Public Law 12 is for the Secretary of Agriculture (1) to restore the normal cotton acreage history (*a*) to the cotton farms on which there was grown during any of the war emergency years (1945, 1946, or 1947) a total acreage of war crops in excess of the total acreage of war crops grown on such farms in 1941, and (*b*) to the cotton farms whose owners or operators were serving in the armed forces, and (2) to add such restored normal acreage histories of such farms to the production history of the county and State for each of such years.

Because of the war emergency, Public Law 12[1] was enacted to encourage the growing of crops more essential to the war effort on those farms which had 1942 cotton allotments under the Agricultural Adjustment Act of 1938. This objective was to be attained by assuring the producers of cotton on such farms that their cotton allotments would be protected if they would increase their production of war crops. Public Law 12 gave the Secretary of Agriculture the authority to carry out the intent and purposes of the law. Since Public Law 12 relates to the establishment of acreage allotments under the Agricultural Adjustment Act of 1938, as amended, a brief explanation of the cotton acreage allotment and marketing quota provisions of that act is necessary.

The Agricultural Adjustment Act of 1938 provides for the establishment of a national cotton balage allotment, which is required to be apportioned among the States on the basis of the average of the normal production of cotton in each State during a prior period of 5 years. The State allotment is then converted from bales into a State acreage allotment on the basis of the average yield per acre for the State. Such State acreage allotment (less not more than 2 percent thereof reserved for new farms) is required to be apportioned among the counties in the State on the basis of the acreage planted to cotton during a prior period of 5 years, with certain adjustments not material here. The county acreage allotment in turn, with exceptions not material to

this discussion, is then required to be apportioned among the farms in the county on which cotton has been planted during one of the preceding 3 years and no such farm may receive an acreage allotment in excess of the highest plantings of cotton thereon in any one of the 3 years.

[1] (PUBLIC LAW 12—79TH CONGRESS)

(S. 338)

AN ACT To amend the Agricultural Adjustment Act of 1938, as amended, and sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, to encourage the growing of war crops by protecting the allotments of producers of cotton, wheat, and peanuts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in establishing acreage allotments under subtitle B of title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, the Secretary of Agriculture, under regulations prescribed by him, may provide that for any crop year (beginning with the crop year 1945) during the present emergency any farm, with respect to which a cotton, wheat, or peanut allotment was established for the 1942 crop, shall be regarded as a farm on which cotton, wheat, or peanuts, as the case may be, were planted and grown, if the Secretary determines that, with respect to cotton, or wheat, because of the production of war crops designated by him on such farm, or, with respect to cotton, wheat, or peanuts, because the owner or operator was serving in the armed forces of the United States, the cotton, wheat, or peanut production history of the farm for such year is not representative of the normal history of the farm.

The Secretary may also provide with respect to any such farm that the past acreage of peanuts shall be adjusted upward to the extent that the acreage used for growing peanuts on such farm in such year is below the normal history of the farm.

Approved February 28, 1945.

It should be observed from the foregoing that the planted acreage at the farm level is the very heart of the scheme for distributing the national baleage allotment because the production history of all farms determines the size of the county and State acreage allotments. With certain exceptions not pertinent to this discussion, the sum of the farm acreage allotments within a county cannot exceed the county acreage allotment and in turn the sum of the county acreage allotments cannot exceed the State acreage allotment. The interlocking of the State, county, and farm acreage allotments is readily apparent and it can clearly be seen that acreage allotments are dependent upon production history and anything which affects production history directly affects acreage allotments at all levels. Therefore, the production history of a farm is of vital importance not only as it is pertinent to the establishment of farm acreage allotments but also in determining the size of the county and State acreage allotments from whence farm acreage allotments stem.

At the time Public Law 12 was under consideration in the Congress, the Nation was at war. It was urged that increased production of war crops was necessary to the war effort. Many producers, in response to requests from the Department of Agriculture, had reduced cotton acreages and increased the production of war crops. Grave concern was expressed lest the production of needed war crops be reduced, or at least not increased (in accordance with requests made for increases in such crops), because cotton farmers were faced with the alternative of planting war crops and thereby losing their cotton allotments or of planting cotton and preserving their allotments. It was feared that cotton farmers would return to cotton and that needed war-crop production would suffer. In order to remove the need for farmers to plant cotton and to encourage war-crop production, Public Law 12 was enacted. Its stated purpose was to encourage the production of war crops on all farms which had a cotton history as evidenced by a 1942 cotton allotment, by protecting the acreage allotments of such farms. The legislative history of the law clearly shows this to be the purpose of the legislation.

In recommending enactment of Public Law 12 (then S. 338) the War Food Administrator stated:

In the past 2 years many producers of these commodities have planted other crops more critical to the war effort instead of cotton or wheat. Such producers are now faced with the alternatives of planting cotton or wheat in 1945 or, in the event acreage allotments are established in 1946, being classified as "new growers" for allotment purposes. S. 338 would remedy this situation by authorizing the Secretary of Agriculture to provide that, on any farm which a cotton or wheat allotment was established for the 1942 crop year, acreage used for the production of a war crop in 1945 or a subsequent year during the present emergency may be considered as having been planted to cotton or wheat, as the case may be.

It is believed that the effect of such a provision would be to encourage the production of war crops on farms on which, in order to protect cotton or wheat acreage allotments, cotton or wheat otherwise would be planted in 1945. Moreover, producers who might, because of the great need for certain war crops, forego the planting of cotton or wheat, should not be placed in the position of sacrificing possible benefits under future programs. [Emphasis added.]

In reporting the bill which became Public Law 12, the Agriculture Committees of both Houses stated:

During the past 2 years many producers of cotton and wheat, in response to an appeal by the War Food Administration, have used their entire acreages previously planted to cotton or wheat for the production of other war crops, the need for which was more critical. Most of these producers desire to continue this cooperation in the war-food program during the current and subsequent years. However, unless they return to the production of cotton or wheat prior to the reestablishment of acreage allotments in the future, it is obvious that under existing laws they could only obtain a farm acreage allotment for cotton or wheat out of the comparatively small reserve set up for farms which have not produced wheat or cotton for 3 years. Moreover, even though they should return to the production of cotton or wheat prior to the reestablishment of acreage allotments, after being out of production for 3 years, their position would be prejudiced because of the prior cotton- or wheat-production history of the farm would be lost for allotment purposes.

Under the terms of the bill, in establishing farm acreage allotments, the Secretary would have the authority to provide, through the medium of regulations, that with respect to any farm which had a cotton- or wheat-farm acreage allotment in 1942 in any crop year during the present emergency, beginning with the crop year 1945, such farm would be regarded as a farm on which cotton or wheat, as the case may be, was planted even though no cotton or wheat was in fact planted thereon, if the Secretary determined that because of the production of war crops on such farm the cotton- or wheat-production history of the farm for such year was not representative of the normal history of the farm. *Thus, the bill will preserve the prior cotton or wheat history of such farms and their status as old farms in the agricultural-adjustment and soil-conservation and domestic-allotment programs.* [Italics added.] (S. Rept. No. 12, 79th Cong., 1st sess. (1945); H. Rept. No. 55, 79th Cong., 1st sess. (1945).)

In explaining the bill on the floor of the Senate, Senator Bankhead who sponsored the bill, stated:

Mr. President, *the purpose of the bill is to preserve the allotments for wheat and cotton.* Under the present law, if allotments are not used for three years they are lost. There have been a great many diversions to war crops and many allotments will be threatened after this year. Many farmers are in the Service, and cannot plant their crops. [Emphasis added.] (Congressional Record, January 29, 1945, p. 552.)

A similar explanation was given on the floor of the House by Congressman Flannagan, then chairman of the House Committee on Agriculture. He stated:

During the past 2 years many growers of wheat and cotton, at the request of the War Food Administrator, have used their entire acreages previously planted to wheat and cotton for the production of vital war crops. While most of these farmers desire to continue to cooperate in the war-food program, they hesitate to

go along further, knowing that if they do they will lose their old farm-acreag allotments and after the emergency, in order to reestablish their farm-acreag allotments they will have to come back under the farm program as new growers This means that their patriotic response to the War Food Administrator woul be penalized by a reduction in their farm-acreage allotments. It is simply askin too much of the cotton and wheat growers to go along with the War Food Admin istrator unless their farm acreages are protected (Congressional Record, Februar 7, 1945, p. 909).

In the light of this legislative history there can be no doubt bu that the intent and purpose of the Congress in enacting Public Law 12 was to encourage the growing of war crops by protecting cotto acreage allotments.

The statute, as it relates to protection of cotton allotments becaus of increased production of war crops, is neither mandatory nor self executing. Under the terms of the act the Secretary of Agriculture was given authority to provide, through the medium of regulations that with respect to any farm which had a cotton acreage allotment in 1942, in any crop year during the emergency (1945, 1946, and 1947), to regard such farm as a farm on which cotton was planted even though no cotton was in fact planted thereon, if the Secretary determined that because of the production of war crops on such farm the cotton history of the farm for such year was not representative of the normal history of the farm.[2] The authority given to the Secretary extended also to farms upon which there was a reduction in cotton acreage below the normal cotton history of the farm as well as to farms on which there was a complete absence of cotton production.

Public Law 12 was approved on February 28, 1945. On March 8, 1945, the War Food Administrator (having the powers of the Secretary of Agriculture),[3] acting through the Assistant War Food Administrator, exercised the discretion vested in him and applied the provisions of Public Law 12, by issuing regulations to carry out the provisions of that act. The regulations are as follows:

WAR CROP DETERMINATION FOR THE PROTECTION OF COTTON ALLOTMENTS.—That in establishing cotton acreage allotments under title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, for any farm for which a cotton acreage allotment was established for the 1942 crop, if the total acreage of war crops grown on the farm during 1945 or any subsequent year during the present emergency is in excess of the total acreage of war crops grown on the farm in 1941, the cotton-production history for the farm for any such year will not be considered as representative of the normal history of the farm and the farm will be considered as one on which cotton was planted in such year. For the purpose of this determination, the following are designated as war crops: Soybeans for beans, peanuts picked and threshed, flax for seed, Irish potatoes, sweetpotatoes, dry edible beans, grain sorghums, sugar beets, sugarcane, rice, tomatoes for processing, peas for processing, snap beans for processing, sweet corn for processing, oats, barley, sweet sorghums, Sudan grass, biennial and perennial legumes.

The day following the issuance of the regulations, the Department of Agriculture, by a press release dated March 9, 1945, informed the farmers of the Nation of the effect of Public Law 12, as interpreted by the Department under its regulations. Cotton farmers were advised that they could grow war crops without fear of losing their acreage allotments. All that was required of them to receive such protection was that the total acreage of war crops grown on the farm

[2] See S. Rept. No. 12 and H. Rept. No. 55.
[3] See Executive Orders 9322, 9334, and 9392.

must exceed the total acreage of war crops grown on the farm in 1941. The press release states in part, as follows:

Press release No. 432–45 March 9, 1945.

Farmers may now shift entirely from the production of cotton and wheat to the production of designated war crops without fear of losing their acreage allotments for cotton and wheat. The War Food Administration points out that recent legislation protects the allotments of cotton and wheat producers in cases where war crop production has upset the farm's normal production of either crop.

* * * * * * *

During the emergency many farmers have shifted entirely from the production of wheat and cotton to the production of other more essential crops for which the War Food Administration has asked substantial increases. Action to protect acreage allotments on such farms therefore becomes necessary if producers were not to be penalized later for contributing to increased war crop production.

As now determined, the production history for any farm for which a cotton or wheat acreage allotment was established in 1942 will not be considered as representative of the normal history of the farm if the total acreage of war crops grown on the farm in 1945 or any subsequent year during the present emergency is greater than the farm's total war crop acreage in 1941. The farm will be considered as one on which cotton or wheat was planted in any such year.

Crops named as war crops by WFA coincide with the shift in the production pattern requested in areas where cotton and wheat are grown. Under the determinations for both wheat and cotton acreage allotments, war crops include: Soybeans for beans, peanuts picked and threshed, flax for seed, Irish potatoes, sweetpotatoes, dry edible beans, grain sorghums, sugar beets, sugarcane, rice, and tomatoes, peas, snap beans, and sweet corn for processing.

* * * * * * *

It should be pointed out that any interpretation today of the effect of Public Law 12 upon the operation of cotton acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, must be made in the light of the construction placed upon that act by the War Food Administrator on March 8, 1945, when he put the statute into operation by the promulgation of regulations.

In issuing such regulations, the War Food Administrator took three important steps: First, he specified the crops which would be considered war crops. Second, he specified the terms and conditions under which farms having a 1942 cotton acreage allotment could protect their normal cotton history. Third, he made the operation of the statute mandatory. Prior to the issuance of such regulations it was only permissive. By complying with the conditions imposed by the regulations, cotton farms obtained certain substantive rights.

To further the statutory scheme of encouraging war crop production, the War Food Administrator was given discretionary authority under Public Law 12 to offer, and he did offer, through the medium of regulations, to each cotton farmer a quid pro quo, namely, the protection of his cotton acreage allotment by the maintenance of the farm's normal production history if such farmer, in turn, would grow a total acreage of war crops in excess of the total acreage of war crops grown on the farm in 1941. In the absence of prescribing a specific allotment, the only method by which acreage allotments may be protected is by protecting the normal history of the farm. Consequently, farmers were advised that their allotments would be protected by regarding the actual plantings of cotton during the emergency years as being not representative of normal, otherwise the Agricultural Adjustment Act of 1938 would have required that actual plantings during the emergency period be used in calculating acreage allotments.

Farmers acting in reliance on the regulations and increasing their war-crop production above 1941 production levels, and farmers on whose farms cotton plantings were below normal and who served in the armed forces, have obtained certain rights which cannot lawfully be taken away, nor can new conditions now be imposed. The rights of the parties are fixed. The Nation has had the benefit of the war-crop production. All that now remains to be done is for the Secretary of Agriculture, first, to restore for any year during the emergency (1945, 1946, and 1947) the normal history to those cotton farms which had a 1942 cotton allotment and on which there was grown in such year a total acreage of war crops in excess of the total acreage of war crops grown on the farm in 1941, and, secondly, to make appropriate adjustments by adding to the county and State planted acreage history for such years the acreage history restored at the farm level. This is necessary in order that the acreage allotments of such farms will be protected the same as they would have been had the farmer actually planted an amount of cotton equal to his normal history.

The Department did not issue a formal regulation with respect to owners or operators of cotton farms who served in the armed forces. Apparently the statute, insofar as veterans were concerned, was considered as being self-operative and without the need of implementation through regulations. This is indicated by the fact that, although nothing was said in the regulations concerning persons who served in the armed forces, the press release referred to above did carry the following statement:

> Similar protection (protection of acreage allotments similar to that accorded war crop producers) is afforded producers of cotton * * * in cases where a farm's normal history has been upset because the owner or operator was serving in the armed forces.

Since farm owners or operators who served in the armed forces are to be accorded the same benefits and protection as farm operators who did not serve in the armed forces but who increased their war-crop productions above 1941 levels, it is obvious that like treatment requires that the normal cotton-production history for such farms be restored for each of the years during the emergency when the owner or operator was serving in the armed forces. It, likewise, requires that an acreage equivalent to such normal history be added at the county and State levels the same as it would have been had the owner or operator remained at home and planted his normal cotton acreage. Unless the acreage allotment measured by the normal cotton-production history, which is required to be restored at the farm level for both the war-crop producer and the veteran, is included and added in the production history of the county and State, the statute, instead of being a protective device, would be but a trap to ensnare the unsuspecting by the promise of illusory benefits.

The only way that cotton-acreage allotments may be fully protected is by protecting normal cotton-production history, since, as heretofore shown, acreage allotments are directly dependent upon production history under the statutory formula.

In restoring normal production history of the farms, the acreages that may have been planted to nonwar crops other than cotton, is immaterial and can have no bearing upon the question of the restoration of normal cotton history. To receive protection under Public

Law 12, it is necessary only for a veteran owner or operator to show that the actual plantings of cotton on his farm during any year of the emergency was below normal and that during such time he was serving in the armed forces. Upon such a showing the veteran is entitled for such year to have the farm's history restored to normal. The statute, as it has been interpreted and applied under the regulations of the Department, accords like protection to a farm on which the total acreage of war crops during any of the emergency years exceeded the total acreage of such crops in 1941. That was the only condition imposed by the Secretary under the regulations in order for the actual plantings of cotton during the emergency years to be regarded as not representative of normal.

Although the Secretary originally had authority to impose other conditions before he would disregard actual plantings of cotton and substitute therefor the normal history in order to protect acreage allotments, he did not impose any additional conditions. Therefore, any attempt now to take into consideration nonwar crops other than cotton or to use any other device, the effect of which would be to impose new or additional conditions or otherwise reduce the benefits of the statute, would be illegal.

In determining what is the normal history to be restored under Public Law 12, the Secretary has no discretion except in the selection of the period of years to be used for reflecting the normal production history of the farm. The term "normal" itself requires that a period of years be selected and used which would fairly reflect the usual, ordinary, or typical planted cotton acreage of the farm. No one year's planting would reflect this.

In conclusion, it should be noted that the application of Public Law 12 may have an important bearing upon the administration and enforcement of future cotton acreage allotment and marketing quota programs under the Agricultural Adjustment Act of 1938. These programs are regulatory in nature. Any farmer who is dissatisfied with his quota, is given the privilege of having administrative action judicially reviewed. The success of future programs, therefore, requires full and faithful compliance with the provisions of Public Law 12.

HAROLD D. COOLEY,
STEPHEN PACE,
W. R. POAGE,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,
Managers on the Part of the House of Representatives.

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A more threatening aspect of the Government sponsorship of the Arabian development is the fact that it contemplates a dependence by the United States on this area for much of its military supplies of petroleum. In the event of war with Russia, the entire development in the Middle East area would be of no more value to us than was the Canol project of the recent war.

Very truly yours,

RUSSELL B. BROWN,
General Counsel.

THE MENACE OF COMMUNISM

Mr. WILEY. Mr. President, no doubt each of my colleagues receives numerous communications from organizations in their States concerning the critical problem of the menace of communism. Within the last few months I for one have received innumerable messages, letters and resolutions on this issue.

I send to the desk three communications from three diverse groups, each of which has made and is making an important contribution to clear thinking and action. I believe that the sentiments expressed in these messages deserve not only my careful attention but the attention of my colleagues, in order that together, in a democratic way, without hysteria, without witch-hunting, but with firmness and clear vision, we may meet head-on the menace of subversive groups and individuals.

I therefore ask unanimous consent that these messages be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

FRATERNAL ORDER OF EAGLES,
SUCCESS AERIE 1954,
Hartford, Wis.

Hon. Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: No doubt you will be receiving many letters similar to the one we are writing you. The Fraternal Order of Eagles is sponsoring and advocating the support of all our Senators and Representatives to use all their efforts and influence in passing legislation that will outlaw communism or any other ism that is un-American.

This being the month of February and the birthdays of two our most outstanding Americans George Washington and Abraham Lincoln, it should be especialy proper that at this time we use all our efforts in defeating communism in every shape and form.

We are therefore asking you to support any good sound legislation that will defeat communism and that you will use your voice and influence to see to it that we will not be overrun with these sort of fellows in America. Your comments will be greatly appreciated.

Fraternally yours,

ROBERT T. HEINTZ,
Secretary.

KNIGHTS OF COLUMBUS,
WATERLOO COUNCIL, NO. 1669,
Waterloo, Wis.

Honorable Senator WILEY:

Whereas the Waterloo Council, Knights of Columbus, has this day at its regular meeting discussed the menace of communism to all Christian or religious organizations in this country, or in fact, in the world; and

Whereas the Constitution of these United States of America provides for the freedom of religious worship;

Therefore, we the undersigned strongly urge you to take whatever action is in your power to immediately exterminate any and all Communists from this our beloved country.

Sincerely yours,

ALVIN T. JOYCE,
Grand Knight.

FOND DU LAC COUNCIL OF
CATHOLIC WOMEN,
Fond du Lac, Wis.

Hon. ALEXANDER WILEY,
Washington, D. C.

DEAR MR. WILEY: Our organization has a very active legislative committee which carries on a spirited discussion at each meeting on current topics. Naturally one of our biggest peeves is the way the Communists are allowed entry into this country and the license granted them under freedom of speech to down the United States and declare allegiance to Russia.

It seems a very weak defense to invite traitors and treason at a time which is so static. Is it necessary to allow entry into our country of the Russian composer and the Italian top Communist leader who has been invited here by Henry Wallace? I am hoping that you, as our Wisconsin Senator, will use all your influence to stamp out such practices, to cut red tape in dealing with these individuals and stamp them as traitors with punishment due treason. We can't expect to curb evils unless we try to do away with them. It is a very poor lesson in citizenship to show our young people when the Government itself seems so gullible.

What about Anna Strong and the former bund leader? Are they desirable after giving up their American citizenship? Just how long does it take America to wake up? How many Pearl Harbors do we have to have before we learn?

Our men in Congress should be our spokesmen and believe me the people would rally if they would only take a definite stand on this question of communism. I'd suggest that they give the entire party a one-way ticket to Russia.

We mothers are tired giving up our young sons to foreign service when our leaders are inviting trouble and hob-nobbing with butchers of humans.

May we hope that you at least, Mr. WILEY, will play the game as a staunch American and throw your weight against all subversive elements?

Very truly yours,

MAE J. NEMICK (Mrs. J. A.),
President, Council of Catholic Women.

CIVIL RIGHTS LEGISLATION—ADDRESS BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address on civil rights delivered by him at Montgomery, Ala., on October 7, 1948, which appears in the Appendix.]

EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT—STATEMENT BY SENATOR MALONE

[Mr. JENNER asked and obtained leave to have printed in the RECORD the statement on the extension of the Reciprocal Trade Agreements Act made by Senator MALONE before the Senate Finance Committee on February 24, 1949, which appears in the Appendix.]

THE NEED FOR STRONGER RENT CONTROL — STATEMENT BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a statement entitled "The Need for Stronger Rent Control," made by him on Senate bill 888 before the Subcommittee on Housing and Rents of the Committee on Banking and Currency, March 10, 1949, which appears in the Appendix.]

DR. PETER MARSHALL

[Mr. WHERRY asked and obtained leave to have printed in the RECORD the addresses at the funeral services of the late Dr. Peter Marshall, Chaplain of the Senate, together with the prayers delivered by him in the Senate during the Eighty-first Congress, which appear in the Appendix.]

PROCLAMATION OF MARCH 7 AS CZECHOSLOVAK DAY IN THE STATE OF NEW YORK

[Mr. IVES asked and obtained leave to have printed in the RECORD a proclamation, issued by Governor Dewey, of New York, proclaiming March 7, the anniversary of the birthday of former President Masaryk, as Czechoslovak Day in the State of New York, which appears in the Appendix.]

HOW BUREAUCRACY SWINDLES THE TAXPAYER—COMMENTS BY GEN. CARL GRAY ON ARTICLE FROM THE READER'S DIGEST

[Mr. MCGRATH asked and obtained leave to have printed in the RECORD comments by Gen. Carl Gray, Veterans' Administrator, concerning an article entitled "How Bureaucracy Swindles the Taxpayer," published in the Reader's Digest, which will appear hereafter in the Appendix].

ADDRESS BY RALPH E. BECKER BEFORE THE OHIO YOUNG REPUBLICAN STATE CONVENTION

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD the address delivered by Ralph E. Becker, Chairman of the Young Republican National Federation, before the Ohio Young Republican State Convention, at Columbus, Ohio, February 26, 1949, which appears in the Appendix.]

SOVIET "IMMIGRATION" INCREASES—EDITORIAL FROM THE HAVRE (MONT.) DAILY NEWS

[Mr. ECTON asked and obtained leave to have printed in the RECORD an editorial entitled "Soviet 'Immigration' Increases," from a recent issue of Havre (Mont.) Daily News, which appears in the Appendix.]

THE NETHERLANDS POLICY IN INDONESIA—ARTICLES FROM THE NEW YORK TIMES AND THE CHRISTIAN SCIENCE MONITOR

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article by A. M. Rosenthal, a news item from The Hague, published in the New York Times of March 11, 1949, and an article by Daniel L. Schorr, published in the Christian Science Monitor of March 8, 1949, all relating to the Netherlands policy in Indonesia, which appear in the Appendix.]

NOMINATION OF MON C. WALLGREN—NEWSPAPER COMMENT, TELEGRAMS, AND LETTERS

[Mr. CAIN asked and obtained leave to have printed in the RECORD several newspaper comments, telegrams and letters relating to the nomination of Mon C. Waligren to be Chairman of the National Security Resources Board, which appear in the Appendix.]

ADDRESS BY DR. NORMAN VINCENT PEALE ON THE OCCASION OF THE OBSERVANCE OF THE BIRTHDAY ANNIVERSARY OF THOMAS A. EDISON

[Mr. BRICKER asked and obtained leave to have printed in the RECORD an address entitled "God's Man Edison," delivered by Dr. Norman Vincent Peale on the occasion

of the observance of the birthday anniversary of Thomas A. Edison, which will appear hereafter in the Appendix].

TRIBUTE BY RABBI WILLIAM F. ROSENBLUM TO THOMAS A. EDISON

[Mr. BRICKER asked and obtained leave to have printed in the RECORD a sermon by Rabbi William F. Rosenblum, entitled "And There Was Light," preached at Temple Israel, New York, in commemoration of Thomas Alva Edison on February 11, 1949, which appears in the Appendix.]

BROADCAST BY GEORGE E. SOKOLSKY ON LINCOLN AND EDISON

[Mr. BRICKER asked and obtained leave to have printed in the RECORD a radio broadcast by George E. Sokolsky on February 13, 1949, entitled "Lincoln and Edison," which appears in the Appendix.]

HISTORY OF THE WORD "FILIBUSTER"—ARTICLE FROM THE DETROIT FREE PRESS

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an article on the history of the word "filibuster," written by Malcolm W. Bingay, and published in the Detroit Free Press of March 9, 1949, which appears in the Appendix.]

OPERATIONS SNOWBOUND — EDITORIAL FROM THE MEMPHIS COMMERCIAL APPEAL

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial entitled "Operations Snowbound," published in the Memphis Commercial Appeal of February 14, 1949, which appears in the Appendix.]

SUBSIDY PAYMENTS IN THE MERCHANT MARINE—ARTICLE BY GEORGE W. MORGAN

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an article entitled "Legislative Overhaul Asked for Nonsubsidized Lines," written by George W. Morgan, president, Association of American Shipowners, and published in the Journal of Commerce of February 17, 1949, which appears in the Appendix.]

CONSTITUTIONAL GOVERNMENT—EDITORIAL COMMENT ON SPEECH BY SENATOR FULBRIGHT

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "Senator Fulbright Gives a Lesson in Constitutional Government," published in the Winchester (Va.) Evening Star of March 9, 1949, which appears in the Appendix.]

FAIR TRADE PRACTICES

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an editorial entitled "Consistency, Thou Art a Jewel," from "The Apothecary" for February 1949, with a page from the same magazine entitled "Time—Life—Fortune Are Fair Traded," which appear in the Appendix.]

COTTON ACREAGE ALLOTMENTS—CONFERENCE REPORT

Mr. THOMAS of Oklahoma submitted the following conference report:

The committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949.

And the Senate agree to the same.

That the Senate recede from its amendment to the title.

ELMER THOMAS,
ALLEN J. ELLENDER,
MILTON R. YOUNG,
SCOTT W. LUCAS,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STEPHEN PACE,
W. R. POAGE,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,
HAROLD D. COOLEY,
Managers on the Part of the House.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question is, Shall the decision of the Chair overruling the point of order raised by the Senator from Georgia [Mr. RUSSELL] stand as the judgment of the Senate?

Mr. VANDENBERG. Mr. President, I briefly address myself to the pending appeal from the parliamentary decision announced last night by the distinguished Vice President on the point of order submitted by the able Senator from Georgia [Mr. RUSSELL] in connection with the cloture petition submitted by the majority leader, the distinguished senior Senator from Illinois [Mr. LUCAS].

It happens that I was the President pro tempore of the Senate who faced the hard duty of making the parliamentary decision last August, upon which the present controversy is considerably based. Therefore, I feel that I have some continuing responsibility. I also have a concern to keep the record straight. But I speak without pride of opinion, and solely for the purpose of attempting to make clear precisely what I believe to be involved in the Senate's vote on this appeal. I have no desire to argue the question, but I think it is only fair to what I conceive to be the vital importance of this issue that I should restate my position and bring it down to date.

Mr. President, I have not changed my mind about the jurisdiction of the present, existing Senate cloture rule. Despite the ingenuous thesis developed by the majority leader and by the Vice President to rationalize the latter's departure from what I believe to be the plain mandate of the rules and precedents, I continue earnestly to believe that the existing rule does not permit cloture on a motion to take up a measure.

With equal tenacity I continue to believe that the rules of the Senate are as important to equity and order in the Senate as is the Constitution to the life of the Republic, and that those rules should never be changed except by the Senate itself, in the direct fashion prescribed by the rules themselves.

One of the immutable truths in Washington's Farewell Address, which cannot be altered even by changing events in a changing world, is the following sentence:

The Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all.

I respectfully submit, as a basic explanation of my attitude, that I accept this admonition without reservation, and I think it is equally applicable to the situation which Senators here confront, though obviously the comparison cannot be literal. But, so far as I am concerned, the Father of his Country said to us, by analogy, "The rules of the Senate which at any time exist, until changed by an explicit and authentic act of the whole Senate, are sacredly obligatory upon all." I think that is the basic issue here today. Men of conscience obviously disagree about the facts. I respect their good faith, even though we reach opposite conclusions.

Mr. President, I repeat just a few words of the preliminary things which I said last August from the Presiding Officer's chair, so that there may be no misunderstanding of my motive. I think the Senate rules should be amended, by due process of law, to extend the two-thirds cloture rule to include motions and the entire parliamentary procedure involved in the legislative life of a measure. I favor the adoption of the Hayden-Wherry resolution. I think that unless the rule is changed as contemplated by this resolution, the Senate has no effective cloture at all, although a determined majority can break a filibuster if it really tries. Driven by experience to amend my much earlier belief in totally unlimited Senate debate, it is my conviction that the Senate must not longer leave itself in a legislative strait-jacket and impotent to legislate except by the process of exhaustion. This cannot be longer condoned in these dangerous days.

I believe that the Hayden-Wherry resolution perfecting cloture by a two-thirds vote meets this need without sacrificing the Senate's birthright, which is full, free, fair debate, with reasonable opportunity for the presentation of minority views and reasonable protection against intolerant and intolerable gags. To make my attitude totally plain, I think that any sort of majority cloture would violate these elemental specifications. I think the Hayden-Wherry resolution is the wise, rational middle ground.

But, Mr. President, as I said last August when I made my ruling, I repeat now, the rules of the Senate as they exist at any given time and as they are clinched by precedents should not be changed substantively by the interpretive action of the Senate's Presiding Officer, even with the transient sanction of an equally transient Senate majority. The rules can be safely changed only by the direct and conscious action of the Senate itself, acting in the fashion prescribed by the rules. Otherwise, no rule in the Senate is worth the paper it is written on, and this so-called "greatest

Senate Office Building Commission, may I suggest that perhaps the Chair made the same error as in connection with the Special Committee on Reconstruction of the Senate Roof and Skylights? I am the only Republican on that commission. The proportion would be four Democrats to one Republican. Prior to this time it has always been three to two.

The VICE PRESIDENT. The Chair might extend a compliment to the Senator from New Hampshire by according him greater influence than four other Senators. The Chair did not intend to bring about that proportion. These appointments were made after consultation with the Secretary and the Parliamentarian, as to the number of vacancies.

Mr. WHERRY. I merely wished to bring the matter to the attention of the Chair. In view of the observations of the Chair, I suggest that he might review the appointments to both these committees.

The VICE PRESIDENT. The Chair has no objection to reviewing the appointments. The Chair will withhold appointments on this commission also.

The VICE PRESIDENT subsequently said: The Chair appoints the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Missouri [Mr. KEM] on the Special Committee on Reconstruction of the Senate Roof and Skylights.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Labor and Public Welfare:

"Senate Concurrent Resolution 8

"Concurrent resolution requesting immediate review of recent cuts in the veterans' hospital program

"Whereas the Veterans' Administration has recently announced the cancellation of plans for the construction of a 200-bed general hospital at Grand Rapids, a 500-bed tuberculosis hospital at Detroit, and a 1,000-bed neuropsychiatric hospital at Toledo, Ohio, from which beds were to be allotted to Michigan mental and nervous cases; and

"Whereas it appears that needs of veterans will not be adequately cared for as a result of such action; and

"Whereas the citizens of Grand Rapids are now engaged in the conduct of a drive for approximately $4,000,000 to add to the hospital facilities of Kent County and neighboring counties and that such facilities have been shown by survey to be badly needed, regardless of what facilities are provided by the proposed veterans' hospital; and

"Whereas the action of the Veterans' Administration has caused great confusion and uncertainty and has endangered the welfare of veterans and of all other citizens of the community interested in the development of hospital facilities in the area; and

"Whereas the interests of veterans and other citizens generally throughout the State of Michigan are adversely affected by the action of the Veterans' Administration with respect to hospitals at Grand Rapids, Detroit, and Toledo; and

"Whereas budget cuts should not be made at the expense of sick and disabled veterans while we are spending much larger sums abroad: Now, therefore, be it

"*Resolved by the senate (the house of representatives concurring)*, That the President, Congress, and the Veterans' Administration be memorialized and requested to reopen and reexamine the decisions previously made with respect to these hospitals, and to determine without delay the need for veterans' hospitals at Grand Rapids, Detroit, and Toledo, Ohio; and be it further

"*Resolved*, That if such need be established as now appears to exist, the Veterans' Administration be requested to reverse its earlier decisions and to continue with its program as originally determined upon; and be it further

"*Resolved*, That a copy of this resolution be transmitted to President Truman, to the President of the Senate, to the Speaker of the House of Representatives, and to the Michigan Members in the Senate and House of Representatives of Congress.

"Unanimously adopted by the senate February 4, 1949.

"Unanimously adopted by the house of representatives, March 4, 1949."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Appropriations:

"House Joint Memorial 3

"Joint memorial by the Nineteenth Legislature of the State of New Mexico memorializing the Congress of the United States, and the New Mexico representatives therein, to appropriate moneys for use in emergency flood-prevention work in New Mexico

"Be it resolved by the Legislature of the State of New Mexico:

"That whereas an unprecedented amount of snow has fallen in Colorado and in the mountains that feed the various streams flowing through New Mexico; and

"Whereas in the past difficulties have been experienced in New Mexico when the run-off from winter snows takes place in the spring; and

"Whereas no adequate means are available for preparing against the reasonably foreseeable floods which, in all likelihood, will result from the large amount of precipitation in the watershed of these streams; and

"Whereas the State of New Mexico and the various areas directly affected are not in financial position to effectively combat the danger; and

"Whereas the only means of preventing great loss of property and possible loss of life in New Mexico in the spring of 1949 lies through any assistance which might be received from the Government of the United States.

"Now, therefore, the Congress of the United States, and the Members thereof from New Mexico, are hereby respectfully memorialized and urged to take immediate action to provide funds to the State of New Mexico, and the proper authorities thereof, to be used along the streams in New Mexico for flood-prevention work prior to and during the spring run-off in 1949, in order that flood danger in New Mexico may be minimized and losses to life and property prevented; and be it further

"Resolved, That copies of this memorial be sent to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, to each Senator and Member of the House of Representatives from New Mexico, to the Secretary of the Interior, and to the Chief of Army engineers.

"Approved by me this 11th day of March 1949.

"THOMAS J. MABRY,
"Governor, State of New Mexico."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 14

"Joint memorial by the Nineteenth Legislature of the State of New Mexico memorializing the President of the United States and the Congress of the United States to establish a synthetic liquid-fuels plant in New Mexico

"Be it resolved by the Legislature of the State of New Mexico:

"Whereas water in adequate amounts for the proper and efficient continued operation of a synthetic liquid-fuels plant is available in San Juan County, N. Mex., as shown by the fact that seven-thirteenths of all surface water in the State of New Mexico flows through said county; and

"Whereas the United States Geological Survey figures show that there is available in San Juan County, N. Mex., over 250,000,000,000 tons of coal of proper quality and so situated that it may be mined by the stripper or open-pit process, all of requisite grade for the purpose of a synthetic liquid-fuels plant; and

"Whereas much of said coal lies within the exterior boundary of the Navajo Reservation; and

"Whereas, it is a matter that has received national recognition of the necessity of the Navajo people; and

"Whereas the establishment of such a plant will provide royalties that will be received for the benefit of the Navajo people and provide jobs for the benefit for both the Navajo and other people in this general area of the United States; and

"Whereas the creation of this project would provide trade facilities for the Navajo people in addition to the other benefits, such as the receipt of royalties for the alleviation of the Navajo problem; and

"Whereas the establishment of such a plant in this portion of the United States to open up the almost unlimited reserves of coal for this purpose will be of benefit to the entire United States: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the President of the United States and the Congress of the United States be and they are hereby petitioned and memorialized to establish a synthetic liquid-fuels plant in San Juan County, N. Mex.; be it further

"Resolved, That copies of this memorial be sent to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States, and the Members of Congress from New Mexico, and to such other officials as the Governor of the State of New Mexico shall deem advisable.

"Approved by me this 11th day of March 1949.

"THOMAS J. MABRY,
"Governor, State of New Mexico."

A concurrent resolution of the Legislature of the State of Michigan, relating to an editorial from the Detroit (Mich.) Free Press, February 23, 1949, entitled "Our Greatest Danger: Financial Rocks Ahead" (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

(See text of concurrent resolution printed in full when presented by the Vice President on March 12, 1949, p. 2368, CONGRESSIONAL RECORD.)

A resolution adopted by the board of commissioners of the city of Newark, N. J., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

The petition of Dewie J. Gaul and Dale J. Schmitz, of Dubuque, Iowa, praying for the

enactment of legislation providing for the issuance of a commemorative stamp in honor of the city of Earling, Iowa; to the Committee on Post Office and Civil Service.

A resolution adopted by the Common Council of the City of Buffalo, N. Y., favoring the repeal of the Taft-Hartley labor law; ordered to lie on the table.

By Mr. McGRATH (for himself and Mr. GREEN):

A resolution of the General Assembly of the State of Rhode Island; ordered to lie on the table:

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to give immediate consideration to the passage of legislation repealing chapter 120 of the Public Laws, passed June 23, 1947 (Public Law 101), the short title of which is cited as the Labor Management Relations Act, 1947"

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby requested to give immediate consideration to the enactment of legislation repealing chapter 120 of the Public Laws, passed June 23, 1947 (Public Law 101), the short title of which is cited as the 'Labor Management Relations Act, 1947'; and be it further

"Resolved, That the secretary of state be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States."

TEXTILE INDUSTRY IN MASSACHUSETTS—RESOLUTION OF CITY COUNCIL OF NEW BEDFORD, MASS.

Mr. SALTONSTALL. Mr. President, on behalf of my colleague the junior Senator from Massachusetts and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the City Council of the City of New Bedford, Mass., favoring an investigation of the textile industry in Massachusetts.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

Whereas approximately 5,000 textile workers have been laid off or are working short time in New Bedford; and

Whereas Governor Dever has suggested at a conference of management and labor that a State investigation be made of the textile industry in Massachusetts: Therefore be it

Resolved, That the City Council of New Bedford record itself as urging Governor Dever to undertake immediately this investigation; and be it further

Resolved, That the city council, through the clerk of the council, communicate with Senators SALTONSTALL and LODGE and Congressmen NICHOLSON and MARTIN to the end that the textile industry of Massachusetts be protected from the inroads of textile imports.

In city council, March 10, 1949.

CHARLES W. DEASY,
City Clerk.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. TYDINGS, from the Committee on Armed Services:

H. R. 2546. A bill to authorize the Secretary of the Air Force to establish land-based air-warning and control installations for the national security, and for other purposes; without amendment (Rept. No. 126).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 1287. A bill to amend the act approved September 7, 1916 (ch. 458, 39 Stat. 742), entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended; to the Committee on Labor and Public Welfare.

By Mr. SALTONSTALL (for himself and Mr. LODGE):

S. 1288. A bill to provide for the reimbursement of the town of Watertown, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on the Judiciary.

By Mr. McMAHON (by request):

S. 1289. A bill for the relief of Collins Sterling Smith; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 1290. A bill to establish and effectuate a policy with respect to the creation or chartering of certain corporations by act of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. McGRATH:

S. 1291. A bill to authorize the appropriation of such sum as may be necessary to prevent a deficit in the District of Columbia in the fiscal year ending June 30, 1950; to the Committee on the District of Columbia.

By Mr. GREEN:

S. 1292. A bill to amend section 32 (a) (2) of the Trading With the Enemy Act; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 1293. A bill to authorize the issuance of a special series of stamps to acquaint the people of the United States and of foreign countries with the beauty and grandeur of the carvings on Mount Rushmore in the State of South Dakota; to the Committee on Post Office and Civil Service.

By Mr. KEM:

S. 1294. A bill for the relief of John S. Kinsella;

S. 1295. A bill for the relief of Mrs. Emily Wilhelm; and

S. 1296. A bill for the relief of Murphy and Wischmeyer; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself and Mr. MARTIN):

S. J. Res. 65. Joint resolution to authorize the issuance of a special series of stamps commemorative of the Grand Army of the Republic; to the Committee on Post Office and Civil Service.

INVESTIGATION OF FISCAL AFFAIRS OF THE DISTRICT OF COLUMBIA

Mr. McGRATH submitted the following resolution (S. Res. 89), which was referred to the Committee on the District of Columbia:

Resolved, That the Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the fiscal affairs of the District of Columbia, including its tax structure and deficits in operation. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with its recommendations.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT OF ECONOMIC COOPERATION ACT OF 1948—AMENDMENT

Mr. MORSE submitted an amendment intended to be proposed by him to the bill (S. 1209) to amend the Economic Cooperation Act of 1948, which was ordered to lie on the table and to be printed.

LEAVE OF ABSENCE

Mr. THOMAS of Oklahoma asked and obtained permission to be absent from the Senate for one week, beginning tomorrow.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. McKELLAR asked and obtained permission for the Committee on Appropriations to meet this afternoon from 3 o'clock on.

THE ST. LAWRENCE SEAWAY—RADIO BROADCAST BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD the text of a radio broadcast entitled "A Four-Point Program To Break the 'Filibuster' Against the St. Lawrence Seaway," delivered by him on March 13, 1949, which appears in the Appendix.]

PROPOSED NORTH ATLANTIC PACT—STATEMENT BY SENATOR KEFAUVER

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD a statement prepared by him on the proposed North Atlantic Pact, which will appear hereafter in the Appendix.]

SENATE DEBATE LIMIT NOT NEEDED FOR SECURITY—ARTICLE BY GOULD LINCOLN

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Senate Debate Limit Held Not Needed for Security," written by Gould Lincoln and published in the Washington Evening Star of March 15, 1949, which appears in the Appendix.]

KEEP THE RED CROSS FLAG FLYING—ARTICLE BY HARRY H. SCHLACHT

[Mr. IVES asked and obtained leave to have printed in the RECORD an article entitled "Keep the Red Cross Flag Flying," written by Harry H. Schlacht and published in the New York Journal-American of March 1949, which appears in the Appendix.]

APPOINTMENT OF LOUIS JOHNSON AS SECRETARY OF NATIONAL DEFENSE—ARTICLE BY DORIS FLEESON

[Mr. HILL asked and obtained leave to have printed in the RECORD an article entitled "Johnson's Fight for Preparedness Is Found 'Startling' in Retrospect," written by Doris Fleeson, and published in the Washington Evening Star of March 10, 1949, which appears in the Appendix.]

COTTON ACREAGE ALLOTMENTS—CONFERENCE REPORT

Mr. THOMAS of Oklahoma. Mr. President, I ask the Chair to lay before the Senate the conference report on House bill 128.

The VICE PRESIDENT laid before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

(For text of the conference report, see p. 2274 of the CONGRESSIONAL RECORD of March 11, 1949.)

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

Mr. TAFT. Mr. President, reserving the right to object, I should like to be certain that the distinguished Senator from Vermont [Mr. AIKEN] is advised of the fact that this matter is coming up for consideration before I agree to its consideration.

Mr. THOMAS of Oklahoma. Mr. President, there is no division of sentiment in the committee. The point is this: The Secretary of Agriculture requested the cotton planters to decrease their cotton acreage to be planted in 1949. In order to stimulate that request, he recommended a bill which, if passed, would disregard the acreage planted in 1949 in future allocations and quotas. All the members of the committee agreed to the bill.

Mr. ELLENDER. Mr. President, I may say to the distinguished Senator from Ohio that the Senator from Vermont [Mr. AIKEN] is entirely in accord with what has been done.

Mr. TAFT. That is all that concerns me. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration to the conference report?

There being no objection, the report was considered and agreed to.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. GILLETTE. Mr. President, I expect to speak very briefly on the subject matter before the Senate. As my colleagues will observe, I have no books of reference and no prepared address. That will insure that my remarks will be brief.

It had not been my intention to participate in the discussion of this question, measure, matter, motion, proposition, or proposal which is before the Senate. I expected merely to answer when my name was called, either "yea" or "nay." I was impelled to that decision principally because I am not a lawyer, but a farmer, and I could contribute very little to the discussion, and also because, as a neophyte Senator, I realized the customary injunction of self-effacement. But when self-effacement becomes protective coloration, then it is time for me to announce my position.

When my name is called on the pending proposal, whatever it may be called—the so-called compromise substitute—I expect to vote "nay"; and I think I owe it to those whom I represent in part here, as well as myself, to give some of the reasons therefor.

Mr. President, at the outset of these discussions about 2 weeks ago we found two forces alined: One of them was the so-called southern bloc, not large in numbers as compared to the rest of the Senate, but a cohesive bloc, cemented together by a depth of conviction honestly reached, sincerely held, and cogently presented. The rest of us formed another group, not so cohesive by any means, but the majority of them, including the present speaker, convinced that anything that obstructed the legislative processes of the Senate should be removed.

Let me say to some of my friends on this side of the aisle and some on the other side of the aisle that an obstruction to the legislative processes of democracy in action can be an obstruction to the reaching of a vote to implement a conclusion, but also, as has been very clearly presented in the debate, it can be an obstruction against the free interchange of opinions and adverse holdings of conclusions, from which would crystallize the finding which makes up democracy.

I am opposed to obstruction of debate, for we should enable that first step to be taken. I am opposed to obstruction to implementing the conclusion of debate. Let me say to my friends—my southern colleagues—that to a large extent they have fulfilled the prophecy which was made by the senior Senator from Georgia [Mr. GEORGE] that this would be a historic debate. In the Committee on Rules and Administration, of which I have the honor to be a member, I have heard marvelous presentations by members of his group. I have heard presentations of their viewpoint on the floor of the Senate. I am constrained to say that I thought they were unnecessarily long; I thought the conclusions could be presented very forcefully with an elimination of many of the words which were used, and with no diminution of the force. But, be that as it may, this debate has been carried on in good spirit and with dignity. However, we have reached a point where it seems to me there has been lack of cohesion on the part of those who felt that the present rule of the Senate ought to be amended so as to close up certain loopholes which it was agreed existed and for the purpose of tightening the rule.

In my opinion, the present compromise is not such a conclusion. In a moment I shall state what, in my opinion, it does. As soon as the group who were in favor of a correction of the rule started to fall apart, losing sight of the goal, then the difficulty commenced; then and there we began hurrying to and fro. Recently we have learned that the fission of certain materials generates energy, but the fission in that group did not generate energy, or, if it did, it was uncontrollable.

Almost immediately, Mr. President, there started a series of conferences, caucuses, confabs, in the corridors, in the cloakrooms, in the conference rooms. They were bulging with Senators running to and fro, but the "second battle of the bulge" is now over and we are about to vote on the result. I shall vote "no." I am ready for any compromise on procedure, but I am not now or at any time in favor of a compromise of principle. That has never been successfully done in this body or in any other body.

So we found ourselves in a position, unfortunately, where confusion was thrice confounded. Perhaps we were in the attitude of the classic example of confusion—the squid that, by his own emanations which he emits in his struggles, beclouds his attempts to escape.

Mr. President, yesterday when I sat in the chair which you now grace—I did not fill that chair or adorn it, but I sat there. I observed that for one-half hour by the clock the Senator from Florida [Mr. HOLLAND], the Senator from Georgia [Mr. RUSSELL], the Senator from Arizona [Mr. HAYDEN], the Senator from Nebraska [Mr. WHERRY], the Senator from California [Mr. KNOWLAND], and the Senator from Missouri [Mr. DONNELL] stood in a group in the center aisle, all talking at once. It was not a credit to me as a presiding officer that I did not stop them. They were discussing the definition of "matter," trying to clear it up so that future Senators could determine what was meant by "matter." I could not break it up; but I was forced to state to the Parliamentarian that I hoped as a result there would finally be a triumph of mind over "matter." [Laughter.] But it was not reached.

I am not criticizing the procedure, the methods by which any of my colleagues reached their conclusions, even though their conclusions may be different from the one that I hold. The only thing I can do is to criticize the end product in the legislative process; and the end product bids fair to be the substitute which was filed here with sufficient names to adopt it.

Please understand, Mr. President, that I am not criticizing the rectitude, the purpose, the sincerity, the honesty, or the desire to reach a conclusion. I am simply saying that I cannot support the conclusion. Why? When all is said and done, it must be admitted that if the compromise becomes the rule of the Senate, whereas under present rules cloture can be imposed by any number of the Members of the Senate from 32 to 64, depending on the number who are in attendance at any particular time, when the rule now proposed is adopted, cloture cannot be imposed except by 64 Senators. Of course, 49 Senators can do business in the Senate. Through the processes of the Senate, 49 Senators can involve our Nation in war.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GILLETTE. Of course.

Mr. TAFT. Is it not a fact that under the present rule cloture cannot be imposed at all on any motion to take up a measure?

Mr. GILLETTE. Oh, no. I wish I could agree with the Senator from Ohio on that point, but I cannot. If other Senators are ready to take the position that the Senate has manacled itself and has entangled itself in its own rules, at least I am not ready to concede that. I think the Senate can be in a position to carry on its legislative processes.

Incidentially, Mr. President, I say to the distinguished Senator from Ohio that we brought to the Senate from the Com-

mittee on Rules and Administration, by a vote of 10 to 3, a proposal which would make it more possible to impose cloture. But the compromise makes cloture impossible, if less than 64 Senators are in attendance. As I say, it is possible to ratify a treaty involving a subject of most intricate international affairs, theoretically, by the vote of 32 Senators; it is possible to declare war; it is possible to appropriate billions of dollars of the people's property. But it will be impossible to impose cloture, if the compromise is adopted, with less than 64. No sophistry, no casuistry, no specious argument will change that situation.

I may compliment my brothers of the South for one of the most notable victories, when the compromise is adopted, that has ever been attained in the United States Senate. I said I would not talk long, but merely try to present my views. I want to say in somewhat of a facetious way that I was reminded of another matter. Back in my younger days, "in the dear dead days beyond recall," we had, as older Members will recall, a very notable author by the name of Peter Finley Dunne, who created a great fictional character known as Mr. Dooley, a barroom philosopher. At that time there was a popular song composed, which ascribed to Mr. Dooley credit for everything that was accomplished in the public welfare. One of the verses ran:

Napoleon had an army of a hundred thousand men;
He marched them up the Alps,
And they marched them down again.

The chorus ended:

Though Napoleon marched them up,
Who was it marched them down?
'Twas Mr. Dooley.

Paraphrasing that a little bit, when I think of the effort that was exerted by some of my friends on the other side of the aisle, on the Committee on Rules and Administration, and the attempt that was made to take the question away from the Senate after it came to the floor—and I say this in all kindness; I say it, though I shall mention some of the Senators by name; I say it in love, not in laughter; in laudation, not in lyric—

KNOWLAND had an army of a hundred thousand men;
He marched them up the Alps,
But they marched them down again.
And though Mr. KNOWLAND marched them up,
Who was it marched them down?
'Twas Mr. WHERRY, 'twas Mr. RUSSELL—and the others.

I want to apologize to the Senator from Georgia. He was not connected with the "army" that I am using figuratively, but was a party to the compromise.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Iowa yield?

Mr. GILLETTE. I yield, of course.

Mr. RUSSELL. The Senator need not apologize. I have no apologies to make for anyone with whom I have been associated in this contest.

Mr. GILLETTE. May I associate myself, Mr. President, with that declaration on the part of "General" RUSSELL? [Laughter.] And may I express the honest hope that other legislative cohorts will be as tenacious and successful and adroitly led as the cohesive army the Senator is about to lead to victory. The battlefield we are about to leave. There will perhaps be nothing but the fluttering light from the wolf-scaring fagots that guard the slain. I do not care to be one of the slain. I am ready to vote now or at any time to remove obstruction from legislative processes. In my humble opinion, as a farmer, I do not believe that the proposed compromise does other than—what? To make it all but impossible ever to impose cloture on a measure, motion, proposition, question, proposal, or a matter before the United States Senate.

Mr. TAFT. Mr. President, the Senate now has before it a substitute for the Hayden-Wherry resolution presented by the minority floor leader the Senator from Nebraska [Mr. WHERRY], providing for cloture on motions to take up legislation and closing loopholes which have heretofore existed to permit unlimited filibuster against such motions and the blocking thereby of any legislation intended to be taken up. I shall vote for the substitute, because it seems to me the only practicable method available in this Congress for ending the power of unlimited debate on legislation which may be vital to the welfare, or even the safety, of the Nation.

I feel that the able Senators who have represented the Republicans in these recent difficult negotiations have done the best possible job they could do, and I desire to compliment the minority floor leader the Senator from Nebraska [Mr. WHERRY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from California [Mr. KNOWLAND] on their exceptional work.

Mr. President, I have had some experience I think in meeting the problems which are involved in cloture and in the conduct of the business of the Senate. I should like to review briefly what happened in the Eightieth Congress.

In 1917 the Senate adopted a cloture rule, but between that time and 1947, when the Republican Party took control of the Senate, loopholes were found and methods developed by which the cloture rule was nullified. After we had organized the Senate in 1947 and outlined a program which included various civil rights bills, we found ourselves confronted every time we desired to take up such a bill with the threat of unlimited filibuster. We always had pending on the calendar measures of great international or national importance, and we could never see our way clear to take the 6 to 8 weeks which apparently would be necessary to end a determined filibuster by many Senators. In the summer of 1948, after the conventions, we made one more effort and suggested that possibly cloture could be applied to a motion under the rules as they stood, contrary to the opinion of the Parliamentarian and some previous precedents.

The Senator from Michigan [Mr. VANDENBERG] at that time decided that he could not do otherwise than follow the prevailing parliamentary opinion and the former precedents. An appeal from the decision of the Chair was taken, but that appeal was open to unlimited debate. After 3 days of such debate and the prospect of unlimited filibuster, we were compelled to take up the housing and anti-inflation measures which had been then recommended by our committees.

Mr. MORSE. Mr. President, will the Senator yield for a question at that point?

The VICE PRESIDENT. Does the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. MORSE. Do I correctly understand the Senator is making clear that the reason we did not have a vote on the Senator's appeal from the Vandenberg ruling in 1948 was because the appeal itself was being filibustered, and we never possibly could have gotten to a vote on the appeal until we first broke the filibuster?

Mr. TAFT. The Senator is entirely correct. We would have had to spend 6 weeks in August and September, and perhaps right down to the 2d of November, engaged in that effort. Possibly we Republicans might have been better off if we had done so.

Mr. MORSE. I agree.

Mr. LANGER. I agree with that, too.

Mr. TAFT. The conference of Republican Senators then, in August 1948, decided that the only time at which a filibuster could be broken was at the beginning of a new Congress when there were no other matters prepared for action. We therefore announced that immediately upon convening of the Eighty-first Congress, we would, if in control of the Senate, take up a proposal to change the rules to apply cloture to all incidental matters.

The people in their judgment gave control of the Senate to the Democratic Party, and we were not in a position to direct procedure in this Congress. We urged upon the majority leader that this rule be taken up immediately. On his insistence it could have been taken up by January fifteenth instead of March first, since the whole subject had been thoroughly canvassed 6 months before. During the 6 weeks between these dates, when the Senate had nothing to do the filibuster, in my opinion, could have been broken. When the motion was finally made by the majority leader on February 28 to take up the rule, we urged that every possible method be employed to bring the motion to a vote, and we were, of course, always prepared to furnish plenty of Republican votes to maintain a quorum at all times of day and night.

The Republicans have been blamed because a majority of them did not support the ruling by Vice President BARKLEY which undertook to reverse the very scholarly and logical ruling the Senator from Michigan [Mr. VANDENBERG] made last August. A rather trivial attempt was made to distinguish the case from that of last August, but the question was really exactly the same. I happen to agree with the Vice President's interpretation of the rule, but most of the Republicans agreed with the President pro tempore [Mr. VANDENBERG]. This is no question of a technicality. If we ever

House of Representatives

MONDAY, MARCH 21, 1949

The House met at 12 o'clock noon.

The Reverend M. Nicholas Menicon, St. Matthew's Episcopal Church, Sparrows Point, Md., offered the following prayer:

O most gracious and merciful Lord God, the fountain of all wisdom, whose laws are just and righteous, we humbly beseech Thee to bless these Thy servants, our Representatives in Congress assembled, that Thou wouldst be pleased to direct and prosper, with Thy holy wisdom, all their consultations; that all things may be so ordered and settled by their endeavors upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations. And grant, O Father, that they and we may ever remain loyal and faithful to Thee and to our beloved country. We ask this in the name of Him who laid down His life for us, and rose again, Thy Son, our Saviour Jesus Christ. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 17, 1949, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 1870. An act for the relief of Doris Marie Richard;

H. R. 2216. An act to amend the National Security Act of 1947 to provide for an Under Secretary of Defense;

H. R. 2485. An act to authorize the attendance of the United States Marine Band at the Eighty-third and Final National Encampment of the Grand Army of the Republic to be held in Indianapolis, Ind., August 28 to September 1, 1949;

H. R. 2546. An act to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes; and

H. J. Res. 89. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonion Institution, of the class other than Members of Congress.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2313. An act to suspend certain import taxes on copper.

The message also announced that the Senate had passed bills, joint resolutions, and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 30. An act to provide for the settlement of claims of persons employed in Federal penal and correctional institutions for damage to or loss or destruction of personal property occurring incident to their service;

S. 40. An act for the relief of William D. Norris;

S. 41. An act for the relief of the city of Reno, Nev.;

S. 165. An act for the relief of William F. Thomas;

S. 191. An act for the relief of Louis J. Waline;

S. 247. An act to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes;

S. 255. An act to amend section 205 of the Interstate Commerce Act, relating to joint boards;

S. 256. An act to amend the Interstate Commerce Act, as amended;

S. 714. An act to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal Building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes;

S. 749. An act for the relief of Ferd H. Gibler;

S. 779. An act relating to the pay and allowances of officers of the Naval Establishment appointed to permanent grades;

S. 782. An act for the relief of William S. Meany;

S. 790. An act to grant the consent of the United States to the Upper Colorado River Basin Compact;

S. 850. An act conferring United States citizenship posthumously upon Vaso B. Benderach;

S. 928. An act to provide for designation of the United States Veterans' Administration hospital now being constructed at Wilmington, Del., as the William L. Nelson Veterans' Memorial Hospital;

S. 937. An act to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States;

S. 979. An act to amend section 9 of the act of May 22, 1928, as amended, authorizing and directing a national survey of forest resources;

S. 981. An act for the relief of John Clark Sharman;

S. 1219. An act removing certain restrictions and conditions imposed by section 2 of the act of May 27, 1936, on certain of the lands conveyed by such act to the city of Charleston, S. C.; and for other purposes;

S. J. Res. 12. Joint resolution authorizing the President to proclaim the week in which June 6, 1949, occurs as Patrick Henry Week in commemoration of the sesquicentennial anniversary of the death of Patrick Henry;

S. J. Res. 52. Joint resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during the period from March 15 to December 15, 1949, inclusive;

S. Con. Res. 21. Concurrent resolution favoring the suspension of deportation of certain aliens; and

S. Con. Res. 22. Concurrent resolution favoring the suspension of deportation of certain aliens.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 90. An act to provide for the naturalization of Richard Kim.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2101. An act to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make certain disaster or emergency loans, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. ELLENDER, Mr. ANDERSON, Mr. AIKEN, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 128) entitled "An act to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year."

The message also announced that the Senate insists upon its amendments to the foregoing bill, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. ELLENDER, Mr. LUCAS, Mr. AIKEN, and Mr. YOUNG to be the conferees on the part of the Senate.

ACREAGE PLANTING OF COTTON FOR 1949

Mr. PACE submitted the following conference report and statement on the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year:

CONFERENCE REPORT

[To accompany H. R. 123]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That, notwithstanding the provisions of title III of the Agricultural Adjustment Act

of 1938, as amended, or of any other law, State, County, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949."

And the Senate agree to the same.

That the Senate recede from its amendment to the title.

HAROLD D. COOLEY,
STEPHEN PACE,
W. R. POAGE,
CLIFFORD R. HOPE,
AUGUST H. ANDRESEN,
Managers on the Part of the House.

ELMER THOMAS,
ALLEN J. ELLENDER,
MILTON R. YOUNG,
SCOTT W. LUCAS,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments.

The Senate amendment struck out all after the enacting clause in the House bill and substituted language which would eliminate acreages planted in 1949 to cotton, corn, wheat, and rice from consideration in establishing acreage allotments in subsequent years. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same. Except for the differences explained below, the conference substitute is the same as the House bill.

The House bill directed that the yields of, and acreages planted to, cotton in 1949 should not be considered in computing future cotton acreage allotments with a proviso that any farm on which cotton was not planted in 1947 or 1948 (or regarded as planted in 1947 under Public Law 12, 79th Cong., because of the production of war crops or of serving in the armed forces of the United States) shall be regarded as having a 1948-planted acreage equal to the 1942 farm-acreage allotment.

The substitute amendment as agreed to in conference, in effect, accepts all the House bill except the proviso which is eliminated.

Under the substitute bill agreed to in conference, the year 1949 would be eliminated in the calculation of allotments, therefore, the 5- to 3-year periods now required to be used in the establishment of State, county, and farm allotments would, where 1949 is within any such period, be selected by substituting for 1949 the year next preceding the period which would otherwise be used; for example, if acreage allotments are put into effect in 1951 and a 5-year period is used as a basis for making State and county allotments, then instead of the years 1945 to 1949, inclusive, being used, the years 1944 to 1948, inclusive, would be used; and, if a 3-year period is used as a basis for making allotments to farms, then, instead of the years 1948, 1949, and 1950 being used, the years 1947, 1948, and 1950 would be used.

Insofar as Public Law 12, Seventy-ninth Congress, is concerned, the action of the House conferees in agreeing to the substitute is not to be construed as a recession on the part of the House conferees from the position taken by the House in connection with H. R. 128, when the bill originally passed the House. The Senate conferees in agreeing to the substitute neither disapproved nor approved the interpretation of Public Law 12, adopted by the House. The Senate conferees took the position that since the Senate committee had held no hearings and since, under the rules of the Senate, no explanatory statement on the part of the Senate conferees is required or permitted in the conference report, they did not deem it appropriate to assert themselves with respect to the matter.

Because of representations made to the House conferees by administrative officials of the Department of Agriculture, which would indicate an intention to apply Public Law 12 in a manner which, in the opinion of the House conferees, is wholly illegal and contrary to the intent and purposes of Public Law 12, your conferees have made a full and complete examination of the matter, including an analysis of the legislative history of Public Law 12, in order to determine the effect of that law upon the operation of the provisions of the Agricultural Adjustment Act of 1938, as amended, with respect to the establishment of cotton acreage allotments and marketing quotas thereunder.

The House conferees, and the House Committee on Agriculture as indicated in its report on H. R. 128, consider Public Law 12 and the regulations issued thereunder, together with the information given farmers through a press release issued by the Department of Agriculture on March 9, 1945, as establishing certain rights with respect to those cotton farms on which the production of war crops was increased during the war emergency years and on those cotton farms whose cotton-production history was below normal because the owners or operators were serving in the armed forces. All that remains to be done under Public Law 12 is for the Secretary of Agriculture (1) to restore the normal cotton acreage history (*a*) to the cotton farms on which there was grown during any of the war emergency years (1945, 1946, or 1947) a total acreage of war crops in excess of the total acreage of war crops grown on such farms in 1941, and (*b*) to the cotton farms whose owners or operators were serving in the armed forces, and (2) to add such restored normal acreage histories of such farms to the production history of the county and State for each of such years.

Because of the war emergency, Public Law 12[1] was enacted to encourage the growing of crops more essential to the war effort on those farms which had 1942 cotton allotments under the Agricultural Adjustment Act of 1938. This objective was to be attained by assuring the producers of cotton on such farms that their cotton allotments would be protected if they would increase their production of war crops. Public Law 12 gave the Secretary of Agriculture the authority to carry out the intent and purposes of the law. Since Public Law 12 relates to the establishment of acreage allotments under the Agricultural Adjustment Act of 1938, as amended, a brief explanation of the cotton acreage allotment and marketing quota provisions of that act is necessary.

The Agricultural Adjustment Act of 1938 provides for the establishment of a national cotton baleage allotment, which is required to be apportioned among the States on the basis of the average of the normal production of cotton in each State during a prior period of 5 years. The State allotment is then converted from bales into a State acreage allotment on the basis of the average yield per acre for the State. Such State acreage allotment (less not more than 2 percent thereof reserved for new farms) is required to be apportioned among the counties in the State on the basis of the acreage planted to cotton during a prior period of 5 years, with certain adjustments not material here. The county acreage allotment in turn, with exceptions not material to this discussion, is then required to be apportioned among the farms in the county on which cotton has been planted during one of the preceding 3 years and no such farm may receive an acreage allotment in excess of the highest plantings of cotton thereon in any one of the 3 years.

It should be observed from the foregoing that the planted acreage at the farm level is the very heart of the scheme for distributing the national baleage allotment because the production history of all farms determines the size of the county and State acreage allotments. With certain exceptions not pertinent to this discussion, the sum of the farm acreage allotments within a county cannot exceed the county acreage allotment and in turn the sum of the county acreage allotments cannot exceed the State acreage allotment. The interlocking of the State, county, and farm acreage allotments is readily apparent and it can clearly be seen that acreage allotments are dependent upon production history and anything which affects production history directly affects acreage allotments at all levels. Therefore, the production history of a farm is of vital importance not only as it is pertinent to the establishment of farm acreage allotments but also in determining the size of the county and State acreage allotments from whence farm acreage allotments stem.

At the time Public Law 12 was under consideration in the Congress, the Nation was at war. It was urged that increased production of war crops was necessary to the war effort. Many producers, in response to requests from the Department of Agriculture, had reduced cotton acreages and increased the production of war crops. Grave concern was expressed lest the production of needed war crops be reduced, or at least not increased (in accordance with requests made for increases in such crops), because cotton farmers were faced with the alternative of planting war crops and thereby losing their

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[1] (Public Law 12—79th Congress)
(S. 338)

AN ACT To amend the Agricultural Adjustment Act of 1938, as amended, and sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, to encourage the growing of war crops by protecting the allotments of producers of cotton, wheat, and peanuts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in establishing acreage allotments under subtitle B of title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, the Secretary of Agriculture, under regulations prescribed by him, may provide that for any crop year (beginning with the crop year 1945) during the present emergency any farm, with respect to which a cotton, wheat, or peanut allotment was established for the 1942 crop, shall be regarded as a farm on which cotton, wheat, or peanuts, as the case may be, were planted and grown, if the Secretary determines that, with respect to cotton, or wheat, because of the production of war crops designated by him on such farm, or, with respect to cotton, wheat, or peanuts, because the owner or operator was serving in the armed forces of the United States, the cotton, wheat, or peanut production history of the farm for such year is not representative of the normal history of the farm.

The Secretary may also provide with respect to any such farm that the past acreage of peanuts shall be adjusted upward to the extent that the acreage used for growing peanuts on such farm in such year is below the normal history of the farm.

Approved February 28, 1945.

cotton allotments or of planting cotton and preserving their allotments. It was feared that cotton farmers would return to cotton and that needed war-crop production would suffer. In order to remove the need for farmers to plant cotton and to encourage war-crop production, Public Law 12 was enacted. Its stated purpose was to encourage the production of war crops on all farms which had a cotton history as evidenced by a 1942 cotton allotment, by protecting the acreage allotments of such farms. The legislative history of the law clearly shows this to be the purpose of the legislation.

In recommending enactment of Public Law 12 (then S. 338) the War Food Administrator stated:

"In the past 2 years many producers of these commodities have planted other crops more critical to the war effort instead of cotton or wheat. Such producers are now faced with the alternatives of planting cotton or wheat in 1945 or, in the event acreage allotments are established in 1946, being classified as 'new growers' for allotment purposes. S. 338 would remedy this situation by authorizing the Secretary of Agriculture to provide that, on any farm for which a cotton or wheat allotment was established for the 1942 crop year, acreage used for the production of a war crop in 1945 or a subsequent year during the present emergency may be considered as having been planted to cotton or wheat, as the case may be.

"It is believed that the effect of such a provision would be to encourage the production of war crops on farms on which, in order to protect cotton or wheat acreage allotments, cotton or wheat otherwise would be planted in 1945. Moreover, producers who might, because of the great need for certain war crops, forego the planting of cotton or wheat, should not be placed in the position of sacrificing possible benefits under future programs." [Italics added.]

In reporting the bill which became Public Law 12, the Agriculture Committees of both Houses stated:

"During the past 2 years many producers of cotton and wheat, in response to an appeal by the War Food Administration, have used their entire acreages previously planted to cotton or wheat for the production of other war crops, the need for which was more critical. Most of these producers desire to continue this cooperation in the war-food program during the current and subsequent years. However, unless they return to the production of cotton or wheat prior to the reestablishment of acreage allotments in the future, it is obvious that under existing laws they could only obtain a farm acreage allotment for cotton or wheat out of the comparatively small reserve set up for farms which have not produced wheat or cotton for 3 years. Moreover, even though they should return to the production of cotton or wheat prior to the reestablishment of acreage allotments, after being out of production for 3 years, their position would be prejudiced because the prior cotton or wheat production history of the farm would be lost for allotment purposes.

"Under the terms of the bill, in establishing farm acreage allotments, the Secretary would have the authority to provide, through the medium of regulations, that with respect to any farm which had a cotton- or wheat-farm acreage allotment in 1942 in any crop year during the present emergency, beginning with the crop year 1945, such farm would be regarded as a farm on which cotton or wheat, as the case may be, was planted even though no cotton or wheat was in fact planted thereon, if the Secretary determined that because of the production of war crops on such farm the cotton- or wheat-production history of the farm for such year was not representative of the normal history of the farm. *Thus, the bill will preserve the prior cotton or wheat history of such farms and their status as old farms in the agricultural-adjustment and soil-conservation and domestic-allotment programs."* [Italics added.] (S. Rept. No. 12, 79th Cong. 1st sess. (1945); H. Rept. No. 55, 79th Cong. 1st sess. (1945).)

In explaining the bill on the floor of the Senate, Senator Bankhead who sponsored the bill, stated:

"Mr. President, *the purpose of the bill is to preserve the allotments for wheat and cotton.* Under the present law, if allotments are not used for three years they are lost. There have been a great many diversions to war crops and many allotments will be threatened after this year. Many farmers are in the Service, and cannot plant their crops." [Italics added.] (CONGRESSIONAL RECORD, January 29, 1945, p. 552.)

A similar explanation was given on the floor of the House by Congressman Flannagan, then chairman of the House Committee on Agriculture. He stated:

"During the past 2 years many growers of wheat and cotton, at the request of the War Food Administrator, have used their entire acreages previously planted to wheat and cotton for the production of vital war crops. While most of these farmers desire to continue to cooperate in the war-food program, they hesitate to go along further, knowing that if they do they will lose their old farm-acreage allotments and after the emergency, in order to reestablish their farm-acreage allotments they will have to come back under the farm program as new growers. This means that their patriotic response to the War Food Administrator would be penalized by a reduction in their farm-acreage allotments. It is simply asking too much of the cotton and wheat growers to go along with the War Food Administrator unless their farm acreages are protected" (CONGRESSIONAL RECORD, February 7, 1945, p. 909).

In the light of this legislative history there can be no doubt but that the intent and purpose of the Congress in enacting Public Law 12 was to encourage the growing of war crops by protecting cotton acreage allotments.

The statute, as it relates to protection of cotton allotments because of increased production of war crops, is neither mandatory nor self-executing. Under the terms of the act the Secretary of Agriculture was given authority to provide, through the medium of regulations, that with respect to any farm which had a cotton acreage allotment in 1942, in any crop year during the emergency (1945, 1946, and 1947), to regard such farm as a farm on which cotton was planted even though no cotton was in fact planted thereon, if the Secretary determined that because of the production of war crops on such farm the cotton history of the farm for such year was not representative of the normal history of the farm.[2] The authority given to the Secretary extended also to farms upon which there was a reduction in cotton acreage below the normal cotton history of the farm as well as to farms on which there was a complete absence of cotton production.

Public Law 12 was approved on February 28, 1945. On March 8, 1945, the War Food Administrator (having the powers of the Secretary of Agriculture),[3] acting through the Assistant War Food Administrator, exercised the discretion vested in him and applied the provisions of Public Law 12, by issuing regulations to carry out the provisions of that act. The regulations are as follows:

"WAR CROP DETERMINATION FOR THE PROTECTION OF COTTON ALLOTMENTS.—That in establishing cotton acreage allotments under title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, for any farm for which a cotton acreage allotment was established for the 1942 crop, if the total acreage of war crops grown on the farm during 1945 or any subsequent year during the present emergency is in excess of the total acreage of war crops grown on the farm in 1941, the cotton-production history for the farm for any such year will not be considered as representative of the normal history of the farm and the farm will be considered as one on which cotton was planted in such year. For the purpose of this determination, the following are designated as war crops: Soybeans for beans, peanuts picked and threshed, flax for seed, Irish potatoes, sweetpotatoes, dry edible beans, grain sorghums, sugar beets, sugarcane, rice, tomatoes for processing, peas for processing, snap beans for processing, sweet corn for processing, oats, barley, sweet sorghums, Sudan grass, biennial and perennial legumes."

The day following the issuance of the regulations, the Department of Agriculture, by a press release dated March 9, 1945, informed the farmers of the Nation of the effect of Public Law 12, as interpreted by the Department under its regulations. Cotton farmers were advised that they could grow war crops without fear of losing their acreage allotments. All that was required of them to receive such protection was that the total acreage of war crops grown on the farm must exceed the total acreage of war crops grown on the farm in 1941. The press release states in part, as follows:

Press release No. 432–45 MARCH 9, 1945.

"Farmers may now shift entirely from the production of cotton and wheat to the production of designated war crops without fear of losing their acreage allotments for cotton and wheat. The War Food Administration points out that recent legislation protects the allotments of cotton and wheat producers in cases where war-crop production has upset the farm's normal production of either crop.

"* * * * * *

"During the emergency many farmers have shifted entirely from the production of wheat and cotton to the production of other more essential crops for which the War Food Administration has asked substantial increases. Action to protect acreage allotments on such farms therefore becomes necessary if producers were not to be penalized later for contributing to increased war crop production.

"As now determined, the production history for any farm for which a cotton or wheat acreage allotment was established in 1942 will not be considered as representative of the normal history of the farm if the total acreage of war crops grown on the farm in 1945 or any subsequent year during the present emergency is greater than the farm's total war crop acreage in 1941. The farm will be considered as one on which cotton or wheat was planted in any such year.

"Crops named as war crops by WFA coincide with the shift in the production pattern requested in areas where cotton and wheat are grown. Under the determinations for both wheat and cotton acreage allotments, war crops include: soybeans for beans, peanuts picked and threshed, flax for seed, Irish potatoes, sweetpotatoes, dry edible beans, grain sorghums, sugar beets, sugarcane, rice, and tomatoes, peas, snap beans, and sweet corn for processing.

"* * * * * *."

It should be pointed out that any interpretation today of the effect of Public Law 12 upon the operation of cotton acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, must be made in the light of the construc-

[2] See S. Rept. No. 12 and H. Rept. No. 55.

[3] See Executive Orders 9322, 9334, and 9392.

tion placed upon that act by the War Food Administrator on March 8, 1945, when he put the statute into operation by the promulgation of regulations.

In issuing such regulations the War Food Administrator took three important steps: First, he specified the crops which would be considered war crops. Second, he specified the terms and conditions under which farms having a 1942 cotton acreage allotment could protect their normal cotton history. Third, he made the operation of the statute mandatory. Prior to the issuance of such regulations it was only permissive. By complying with the conditions imposed by the regulations, cotton farms obtained certain substantive rights.

To further the statutory scheme of encouraging war crop production, the War Food Administrator was given discretionary authority under Public Law 12 to offer, and he did offer, through the medium of regulations, to each cotton farmer a quid pro quo, namely, the protection of his cotton acreage allotment by the maintenance of the farm's normal production history if such farmer, in turn, would grow a total acreage of war crops in excess of the total acreage of war crops grown on the farm in 1941. In the absence of prescribing a specific allotment, the only method by which acreage allotments may be protected is by protecting the normal history of the farm. Consequently, farmers were advised that their allotments would be protected by regarding the actual plantings of cotton during the emergency years as being not representative of normal, otherwise the Agricultural Adjustment Act of 1938 would have required that actual plantings during the emergency period be used in calculating acreage allotments.

Farmers acting in reliance on the regulations and increasing their war-crop production above 1941 production levels, and farmers on whose farms cotton plantings were below normal and who served in the armed forces, have obtained certain rights which cannot lawfully be taken away, nor can new conditions now be imposed. The rights of the parties are fixed. The Nation has had the benefit of the war-crop production. All that now remains to be done is for the Secretary of Agriculture, first, to restore for any year during the emergency (1945, 1946, and 1947) the normal history to those cotton farms which had a 1942 cotton allotment and on which there was grown in such year a total acreage of war crops in excess of the total acreage of war crops grown on the farm in 1941, and, secondly, to make appropriate adjustments by adding to the county and State planted acreage history for such years the acreage history restored at the farm level. This is necessary in order that the acreage allotments of such farms will be protected the same as they would have been had the farmer actually planted an amount of cotton equal to his normal history.

The Department did not issue a formal regulation with respect to owners or operators of cotton farms who served in the armed forces. Apparently the statute, insofar as veterans were concerned, was considered as being self-operative and without the need of implementation through regulations. This is indicated by the fact that, although nothing was said in the regulations concerning persons who served in the armed forces, the press release referred to above did carry the following statement:

"Similar protection (protection of acreage allotments similar to that accorded war crop producers) is afforded producers of cotton * * * in cases where a farm's normal history has been upset because the owner or operator was serving in the armed forces."

Since farm owners or operators who served in the armed forces are to be accorded the same benefits and protection as farm operators who did not serve in the armed forces but who increased their war-crop productions above 1941 levels, it is obvious that like treatment requires that the normal cotton-production history for such farms be restored for each of the years during the emergency when the owner or operator was serving in the armed forces. It, likewise, requires that an acreage equivalent to such normal history be added at the county and State levels the same as it would have been had the owner or operator remained at home and planted his normal cotton acreage. Unless the acreage allotment measured by the normal cotton-production history, which is required to be restored at the farm level for both the war-crop producer and the veteran, is included and added in the production history of the county and State, the statute, instead of being a protective device, would be but a trap to ensnare the unsuspecting by the promise of illusory benefits.

The only way that cotton-acreage allotments may be fully protected is by protecting normal cotton-production history, since, as heretofore shown, acreage allotments are directly dependent upon production history under the statutory formula.

In restoring normal production history of the farms, the acreages that may have been planted to nonwar crops other than cotton, is immaterial and can have no bearing upon the question of the restoration of normal cotton history. To receive protection under Public Law 12, it is necessary only for a veteran owner or operator to show that the actual plantings of cotton on his farm during any year of the emergency was below normal and that during such time he was serving in the armed forces. Upon such a showing the veteran is entitled for such year to have the farm's history restored to normal. The statute, as it has been interpreted and applied under the regulations of the Department, accords like protection to a farm on which the total acreage of war crops during any of the emergency years exceeded the total acreage of such crops in 1941. That was the only condition imposed by the Secretary under the regulations in order for the actual plantings of cotton during the emergency years to be regarded as not representative of normal.

Although the Secretary originally had authority to impose other conditions before he would disregard actual plantings of cotton and substitute therefor the normal history in order to protect acreage allotments, he did not impose any additional conditions. Therefore, any attempt now to take into consideration nonwar crops other than cotton or to use any other device, the effect of which would be to impose new or additional conditions or otherwise reduce the benefits of the statute, would be illegal.

In determining what is the normal history to be restored under Public Law 12, the Secretary has no discretion except in the selection of the period of years to be used for reflecting the normal production history of the farm. The term "normal" itself requires that a period of years be selected and used which would fairly reflect the usual, ordinary, or typical planted cotton acreage of the farm. No one year's planting would reflect this.

In conclusion, it should be noted that the application of Public Law 12 may have an important bearing upon the administration and enforcement of future cotton acreage allotment and marketing quota programs under the Agricultural Adjustment Act of 1938. These programs are regulatory in nature. Any farmer who is dissatisfied with his quota, is given the privilege of having administrative action judicially reviewed. The success of future programs, therefore, requires full and faithful compliance with the provisions of Public Law 12.

HAROLD D. COOLEY,
STEPHEN PACE,
W. R. POAGE,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,
Managers on the Part of the House.

Mr. PACE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. PACE]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the conference report?

Mr. PACE. Mr. Speaker, the conference report is a unanimous report of the House and Senate conferees. The effect of the language agreed upon is to provide that the acreage planted in 1949 to cotton shall not be taken into account in future calculations for the determination of cotton acreage allotments. The remainder of the bill as it passed the House authorized the presumption in some cases of the planting of cotton in 1948, and under Public Law 12, the War Crops Act of 1945, which is explained in the statement of the managers as to the effect of the action of the conferees.

Mr. MARTIN of Massachusetts. In what way does the bill differ from the bill previously passed by the House?

Mr. PACE. It differs in that we have stricken the presumption features of the bill, which is agreeable to all the House conferees, with the understanding that we would set forth in the statement of the House managers a full statement and explanation of the intended effect of striking the proviso from the bill as it passed the House and of the purpose and intent of the Congress in the enactment of Public Law 12, of the Seventy-ninth Congress.

The conferees on the part of the Senate did not desire to cover these questions in their report, first because they had not had any public hearings on the question of the administration of Public Law 12 of the Seventy-ninth Congress, and secondly, because it is not customary in the Senate to file explanatory statements by the conferees.

The SPEAKER. Is there objection to the present consideration of the conference report?

There was no objection.

The Clerk read the conference report as above set out.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PACE asked and was granted permission to revise and extend his remarks.

IMPORT TAXES ON COPPER

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the

[PUBLIC LAW 28—81ST CONGRESS]

[CHAPTER 38—1ST SESSION]

[H. R. 128]

AN ACT

To provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949.

Approved March 29, 1949.